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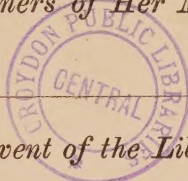
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ANTIQUÆ;

OR,

ANCIENT LAWS AND INSTITUTES OF IRELAND.

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ANCIENT LAWS

AND

INSTITUTES OF IRELAND.

ON the 19th day of February, 1852, the Rev. James Henthorne Todd, D.D., F.T.C.D., and the Rev. Charles Graves, D.D., F.T.C.D., now Bishop of Limerick, submitted to the Irish Government a proposal for the transcription, translation, and publication of the Ancient Laws and Institutes of Ireland.

On the 11th day of November, 1852, a Commission was issued to the late Right Honorable Francis Blackburne, then Lord Chancellor of Ireland; the late Right Honorable William, Earl of Rosse; the Right Honorable Edwin Richard Wyndham, Earl of Dunraven and Mount-Earl; the Right Honorable James, Lord Talbot de Malahide; the Right Honorable David Richard Pigot, Lord Chief Baron of Her Majesty's Court of Exchequer; the Right Honorable Joseph Napier, then Her Majesty's Attorney-General for Ireland; the Rev. Thomas Romney Robinson, D.D.; the late Rev. James Henthorne Todd, D.D.; the Rev. Charles Graves, D.D.; the late George Petrie, LL.D.; and Major Thomas Aiskew Larcom, now Major-General, Baronet, and Knight Commander of the Bath—appointing them Commissioners to direct, superintend, and carry into effect the transcription and translation of the Ancient Laws of Ireland, and the preparation of the same for publication; and the Commissioners were authorized to select such documents and writings containing the said Ancient Laws, as they should deem it necessary to transcribe and translate; and from time to time to employ fit and proper persons to transcribe and translate the same.

In pursuance of the authority thus intrusted to the Commissioners, they employed the late Dr. O'Donovan and the late Professor O'Curry in transcribing various Law-tracts in the Irish Language, in the Libraries of Trinity College, Dublin, of the Royal Irish Academy, of the British Museum, and in the Bodleian Library at Oxford.

The transcripts* made by Dr. O'Donovan extend to nine volumes, comprising 2,491 pages in all; and the transcripts* made by Professor O'Curry are contained in eight volumes, extending to 2,906 pages. Of these transcripts several copies have been taken by the anastatic process. After the transcription of such of the Law-tracts as the Commissioners deemed it necessary to publish, a preliminary translation of almost all the transcripts was made either by Dr. O'Donovan or Professor O'Curry, and some few portions were translated by them both. They did not, however, live to revise and complete their translations.

The preliminary translation executed by Dr. O'Donovan is contained in twelve volumes, and the preliminary translation executed by Professor O'Curry is contained in thirteen volumes.

The Commissioners employed W. Neilson Hancock, LL.D., formerly Professor of Jurisprudence in Queen's College, Belfast, and the Rev. Thaddeus O'Mahony, Professor of Irish in the University of Dublin, who had been engaged on the first volume, as Editors of this second volume of the Ancient Irish Laws.

*The Palace, Limerick,
September, 1869.*

* These transcripts are referred to throughout this volume by the page only, with the initials O'D. and C. respectively.



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ANCIENT LAWS OF IRELAND.

senchus mor.

PART II.

LAW OF DISTRESS (COMPLETED); LAWS OF
HOSTAGE-SURETIES, FOSTERAGE, SAER-
STOCK TENURE, DAER-STOCK TENURE,
AND OF SOCIAL CONNEXIONS.

PUBLISHED UNDER THE DIRECTION OF THE COMMISSIONERS FOR PUBLISHING THE ANCIENT
LAWS AND INSTITUTES OF IRELAND,

VOL. II.



DUBLIN :

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DUBLIN, 23rd July, 1869.

MY LORD,

Having received instructions from the Commissioners for publishing the Ancient Laws and Institutes of Ireland, to edit the continuation of the Senchus Mor, we have, in preparing the text and translation for the press, followed as nearly as possible the plan which was fully explained in the preface to the first volume, and have now the honour to submit to the Commissioners, the second volume of the Ancient Laws of Ireland.

We have prefixed *fac simile* specimen pages of the Harleian MS., in the British Museum, which was chiefly used for the first volume, and of the MSS. in the Library of Trinity College, Dublin, H. 2, 15, and H. 3, 17, which have been adopted as the basis of the text of this volume.

Mr. Thomas M. Busteed, who assisted us in editing the first volume, having joined the Indian bar, and been appointed to a judicial office in India, we employed, in his place, Mr. Henry C. Kirkpatrick, A.B., now called to the Irish bar, whose efficient services in aiding us to carry out the Commissioners' directions we have much pleasure in reporting.

We are, my Lord,

Your Lordship's obedient servants,

W. NEILSON HANCOCK.
THADDEUS O'MAHONY.

The Right Rev.

The Lord Bishop of LIMERICK,

Secretary to the Commission for Publishing the
Ancient Laws and Institutes of Ireland.





PREFACE.

IN the preface to the first volume of the Ancient Laws and Institutes of Ireland, some account was given of each of the ^{of the} Authors of the Senchus Mor. With respect to five of them—King Laeghaire, King Daire, Rossa, Dubhthach, and Fergus—there is nothing material to add.

With regard to St. Cairnech, there is some new matter to be noticed—and as to St. Benignus, St. Patrick, and King Corc, since the publication of the first volume, objections have been urged* to the ordinarily received chronology of their lives. These objections, if established, would alter by two centuries the date of the composition of the Senchus Mor. They have been put forward, too, by a writer who evinces such admiration for St. Patrick, and such zeal in investigating the records of his life, as make his opinions on the subject deserving of careful consideration.

The Senchus Mor is the only work which has as yet ^{St. Cair-} been discovered of those in which St. Cairnech is said to have taken part. The other writings referred to in his biography† have not been traced. From the circumstance of their being compared to the writings of St. Peter, we may conclude that they were religious works, such as St. Patrick would naturally have prepared for his mission—translations most probably of portions of the Scriptures and of the writings of the early Fathers of the Church. They may also, perhaps, have been in part translations of writings which had been found efficacious in the conversion of the Druids in Gaul and Britain, and which were adapted also to impress the Druids, Poets, and Brehons in Ireland. It is possible that they may have been written in the Greek letters which were used as a kind of cypher‡ among the

* Nicholson's St. Patrick, Apostle of Ireland in the third century.

† Preface to Senchus Mor, vol. i., p. xix.

‡ Cæsar de Bello Gallico, VI., c 13, 14.

St. Cair-
nech.
—

Druids. The knowledge which St. Patrick had acquired during his captivity in Ireland, of the Poets, Brehons, and Druids, might have suggested to him that the writings which had facilitated the conversion of the learned classes amongst the Gauls and Britons, would also be well calculated to secure the conversion of the similar classes in Ireland.

The Druidical knowledge as described by Cæsar consisted chiefly of theories with respect to the movements of the planets, the magnitude of the universe, the laws of nature, and the omnipotence of the Pagan deities. The religious tenets of the Druids were transmitted in verses learned by heart by the disciples, but not committed to writing, lest the secrecy might be broken which they wished to preserve in order to maintain their position as the depositaries of all knowledge, authors and interpreters of all law divine and human, remunerators, judges, and executioners.*

In the poem of Dubhthach given in the Introduction to the *Senchus Mor*, we have a combination of law and religion set forth in elaborate verses, and in the commentary there is a curious disquisition upon the formation of the earth, the number and colour of the winds, the division of the firmament. The sun and moon are included in a list of the principal stars, and in the following singular order:—Saturn, Jupiter, Mercury, Mars, Sol, Luna, and Venus. There is also a disquisition respecting the distance of the sun and moon, the zones, climates, and the divisions of the zodiac. In fact there appears to have been at this time in Ireland a state of intellectual development precisely similar to that described by Cæsar as having existed in Gaul and Britain, before these countries came under the influence of Roman civilization. Even the religious organization adopted by the Irish Druids, Brehons, and Poets, seems to have been much the same as that which had prevailed formerly in those countries. The position of Dubhthach who exercised a general supervision and authority over the rest, was in most respects analogous to that of the Archdruid as described by Cæsar.

* *Histoire des Gaulois*, by Amédée Thierry, II. i., quoted in the Emperor Louis Napoleon's *Julius Cæsar*, vol. ii., p. 46.

The speech and poem ascribed in the *Senchus Mor* to St. Cair-Dubhthach prove that he possessed some knowledge of ^{nech.} the Scriptures and of Christian doctrine. He alludes apparently to the Divine condemnation of Eric in the Old Testament*, a point to which the accomplished authoress of the *Popular History of Ireland* has called attention.†

These circumstances afford strong confirmation of the statement that there were some writings by means of which the learned Druids and poets of Ireland were converted; and who is more likely than St. Cairnech to have been the author of such writings? His intimate acquaintance with the Druidical system in Britain, and with the facts relating to the conversions that had been effected there, would eminently fit him for such a task. These writings though so valuable then, would gradually fall out of use, and so be lost in after times when the conversion of the Brehons was complete, and schools and colleges had been founded, in which the youth were systematically instructed in the doctrines of the Church.

Previous to the publication of the *Senchus Mor*, a doubt‡ was thrown upon the authority of these works, by mentioning them as the “alleged works” of St. Cairnech. The *Senchus Mor* is itself an instance of an important work of a very early date, of which he was one of the principal authors, and there is no good ground for questioning the existence, in the fourth and fifth centuries, of other writings of his, although copies of them are not now forthcoming. We might as well discredit the account§ of the foundation of the Abyssinian Church in the fourth century by Frumentius, and the assertion that the first bishop of that church translated portions of the Scriptures into the Geez language, and out of them taught Arzanes the king’s son,

* Numbers xxxv., 31.

† *Popular History of Ireland*, p. 146.

‡ *Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland*, vol. i., p. 47, note.

§ Kurtz’ *History of the Christian Church*, translated by Edersheim, § 94, vol. i., p. 247.

St. Cair-
nech.

because Lord Napier did not bring back a copy of the works of Frumentius with him from Magdala.

The statement referred to in the preface to the first volume of the *Senchus Mor*, that the birthplace of St. Cairnech was most probably in Cornwall, seems to be confirmed by the fact that his name is still preserved in the topography of that part of England: a parish in the centre of the west coast of Cornwall being called Crantoch, a corruption of his British and Latin name, Carantocus, and the Parish Church being dedicated to his memory.*

In the history of the life of St. Cairnech he is described as having been engaged, before he came to Ireland, in the discharge of ecclesiastical duties in Wales, and this circumstance has considerable interest, inasmuch as it throws some light upon the much disputed question, as to where St. Patrick was born, and where he spent the early part of his life.

It is obvious from the statement in the life of St. Cairnech respecting the arrangements made with St. Patrick before they went to Ireland, that the intimate relations between these distinguished men, disclosed in the *Senchus Mor*, had commenced at an early period. In the *Annals of the Four Masters*† there is a passage which enumerates those who were most closely connected with St. Patrick. In this list we find "Benin," (St. Benignus), mentioned as his psalmist; "German," (St. Germanus), as his tutor; and according to the reading of Dr. O'Connor, adopted by Dr. O'Donovan, "Cairniuch," (St. Cairnech), as the priest who baptized him.

In connexion with the burial of St. Cairnech at Dulane, in Meath, it is interesting to notice Dr. Petrie's account of the Church at Dulane, as "being a fine specimen of our earliest Christian architecture," and Lord Dunraven's description of it as "grandly old."‡

St. Benig-
nus.

With respect to the opinion advanced in the preface to the

* Redding's *Illustrated Itinerary of Cornwall*, 1842, p. 220.

† *Annals of the Four Masters*, First Div, vol. i., pp. 138-139.

‡ Stokes's *Life of Petrie*, p. 366.

first volume of the *Senchus Mor*, that St. Benignus was ^{St. Benignus.} more probably seventeen than seven years of age when he first left his father's house in order to accompany St. Patrick, a passage* in the Confession of the latter deserves to be noticed. In this passage St. Patrick speaks of himself at the time of his captivity, which took place when he was sixteen years of age, as "*adolescens pene puer imberbis*," an expression which shows that there is nothing in the use of the word "*puer*," applied to St. Benignus by mediæval writers, inconsistent with his being sixteen years of age at the time. If we adopt the ordinary chronology of St. Patrick's arrival in Ireland (432 A.D.), the supposition that Benignus was sixteen when he met St. Patrick would give 416 A.D. as the date of his birth. A doubt has, however, been raised† about the accuracy of this date, founded on a genealogy quoted by Dr. O'Donovan as given by the O'Clerighs,‡ which describes Sesenean, the father of St. Benignus, as the grandson of Tadhg, son of Cian (who fought at the battle of Crinna) by a son of his called Laei.§

Dr. O'Donovan, in giving the genealogy on the authority of the O'Clerighs, is careful to refer to a passage in the prose commentary in the "*Leabhar na g-Ceart*,"¶ in which St. Benignus is described as the son of Sesenean, and of the Ciannachta of the Gleann Gemhin, of the *race* of Tadhg son of Cian, &c.

This passage clearly implies a long lapse of time, since the descendants of Cian had become so numerous as to be called a tribe. If there was only one step between Sesenean and Tadhg we might naturally expect to find the name of Laei inserted instead of "*the race of Tadhg*."

This construction of the passage in "*Leabhar na g-Ceart*" is confirmed by the statement of O'Flaherty, that the in-

* Villanueva, p. 187, note 1; Nicholson, p. 99.

† Nicholson's *St. Patrick*, &c., p. 52.

‡ *Leabhar na g-Ceart*, p. iii., note a.

§ Laei is not mentioned in the genealogy given by Michael O'Clery in the *Martyrology of Donegal*, p. 301.

¶ P. 50.

St. Benig- habitants of a Ciannachta in Meath and of the other
nus. — Ciannachta in Gleann Gemhin were both descended from
Finnchad Coemh, son of Fieg, son of Fennchad Huallach,
son of Conla the leper, son of Tadhg.*

O'Flaherty, moreover, enumerates Tadhg's sons, and the name of Laei is not mentioned among them. It seems plain, therefore, that he was only one of the *race* of Tadhg, and so might have been a son or some other descendant of Finnchad Coemh.

This view would give at least seven generations between St. Benignus and Tadhg, and allowing thirty years for each generation, the date assigned to St. Benignus is not inconsistent with the fact that Tadhg was twenty years of age at the battle of Crinna, inasmuch as the date given for that battle in the Annals of the Four Masters is A.D. 226.

The difference between the words "son" and "race" in a genealogy compiled 1,000 years ago, would be a very slight ground upon which to discredit the commonly received chronology of the life of St. Benignus, but a full examination of the various accounts confirms the opinion that he lived in the fifth century and not in the third.

It has been objected† that if St. Benignus wrote in the fifth century he could not have designated the King of Uladh as King of the Ultonian Eamhain, inasmuch as the Ultonians had been expelled at the time of the burning of Eamhain by the three Collas in A.D. 331. This argument, however, loses all its force when we remember that the Kings of England retained the title of "King of France" until the French Revolution of 1789, although the last remnant of territory formerly possessed by England in France had been lost so long previously as 1558.

St. Patrick. With regard to St. Patrick, the controversies respecting his life have recently been made to furnish ground for attacking the chronology of the *Senchus Mor*. His part in the compilation of that work, though an important incident in his

* Ogygia, part iii., c. 68.

† Nicholson's St. Patrick, &c., p. 56.

life, is so entirely subordinate to his great work of converting St. Patrick. the Irish nation to Christianity, that it is impossible fully to discuss many of the points which have been raised in connexion with his name, without entering upon ecclesiastical questions which would be completely out of place in this preface.

Upon a few of the topics which are biographical and historical, and altogether apart from religious controversy, it is, however, essential to enter, that we may determine whether the objections that have been urged to the ordinarily received chronology of St. Patrick's life can be sustained. The outlines of the life of the great Apostle have been to a considerable extent lost in the mass of literary offerings which his admirers for fourteen centuries have accumulated in their desire to preserve to posterity the minutest details of the life of one to whom Ireland is so deeply indebted.

In his Confession, written when he was far advanced in years, and when, notwithstanding the extraordinary success of his mission, the Irish converts were exposed to much persecution and danger, and when he lived "daily in expectation of being murdered or entrapped, or reduced to slavery, without having given any occasion for it,"* St. Patrick tells us that a longing and not unnatural desire had arisen in his breast to revisit his native country and the friends of his early youth. He writes—"Whence also, though I should wish to leave them and to go into the Britains, though I should gladly and readily go as to my country and parents, and not only so but even as far as the Gauls, should visit my brethren that I might see the face of the saints of my Lord. The Lord knoweth that I greatly desired it, yet being bound by the Spirit (which witnesses against me if I should do so, and declares that I should be guilty), I fear to lose the labour which I have begun; yet not I, but Christ the Lord who commanded me to come and be with them for the remainder of my life, if the Lord will,

* Translated from Villanueva, p. 207.

St. Patrick. and if he shall keep me from every evil way, that I may not
 ——— sin against him.”*

By means of this passage it is easy to account for the belief prevalent in Ireland, that St. Patrick remained with his converts in this country until his death, and that he was buried at Downpatrick, thus ending his Christian labours near “Sabhal,” now Saul, where he had made his first convert, and founded his first church in Ireland.

The English tradition as given by William of Malmesbury is on the other hand one which is so natural that we can readily understand how it obtained credence, from our sympathy with the feelings attributed to St. Patrick moved by which, it is said, that when wearied by his long and severe labours in Ireland, and sensible of the rapid inroads of old age on his physical strength, he determined to return to his native land and spend the remainder of his days among the scenes of his early youth at Glastonbury.

William of Malmesbury while admitting a doubt as to whether he was actually buried there, describes St. Patrick as belonging to the British nation, and seems to acknowledge the grounds upon which the tradition arose, viz., the extreme probability that he would be anxious to end his days at Glastonbury, which was endeared to him by many early associations and memories, and which might not unnaturally be described as his “native land.” That the St. Patrick of whom William of Malmesbury speaks is not any other person bearing that name, seems clear from his description of him as the disciple of St. Germanus, and as having been sent by Pope Celestine after his ordination, as a bishop and an Apostle to the Irish nation.

If St. Patrick was born in the vicinity of Glastonbury, and had there spent his early years, there is nothing whatever impossible or incredible in the assertion made in the Annals of the Four Masters already referred to, that he was baptized by St. Cairnech. St. Cairnech we know was a Cornishman, who became a Welsh ecclesiastic, and as Glastonbury in

* Villanueva, p. 203.

Somersetshire was in the neighbourhood of Bristol, which St. Patrick. —
was in the direct route from Cornwall to Wales, his presence there on the occasion of the baptism of St. Patrick is by no means improbable. That the theory of St. Patrick's connexion with this district does not rest on mere ungrounded conjecture is shown by the honour so long paid to the saint, in a church dedicated to the Blessed Virgin and St. Patrick, at Glastonbury.

Glastonbury was fortunate in escaping the fate which overtook many of the seats of the early British Church. The Saxon conquerors by whom most of the churches and monasteries of England were overthrown, did not enter Somersetshire until they had themselves been converted to Christianity, and softened by its influence. Instead therefore of bringing destruction and ruin to the religious houses, they signalized their piety, and their appreciation of the virtues of the monks, by the foundation of a monastery which was amply endowed by the Christian King Hina.

Its vicinity to the sea exposed it to the ravages of the Danes, but it was restored by St. Dunstan, and in after times the abbots of Glastonbury, owing to their immense wealth obtained from the Saxon monarchs, possessed considerable political power—had seats in Parliament as barons, and till the year 1154, took precedence of all the mitred abbots in England. The high honour so long paid to the memory of St. Patrick, at a place which occupied such a prominent position in the English Church, is what we might naturally expect if the neighbourhood of Glastonbury had the prestige of being his birthplace.

In the *Annals of the Four Masters*, we are told that Nempthor was his native place. The meaning of this name is said by Colgan to be "Holy or Heavenly Tower."* Now, in one of the most recent accounts of Glastonbury it is mentioned that "on a hill a little to the north-east of Glastonbury there is a curious tower called the Tor of St. Michael, which from its elevation and peculiar shape serves as a land-

* Lanigan's *Ecclesiastical History of Ireland*, vol. i., p. 91

St. Patrick. mark in navigating the Bristol Channel; on the west side of it is a figure of St. Michael the Archangel.”*

To the statement in Fiech’s Hymn that St. Patrick was born at Nempthor, the scholiast adds, that Nempthor is a town in Scotland of which the Irish name was Alcluit, and the Roman-British name was Caer Britton, now Dumbarton. Hence the theory supported by Usher and others that St. Patrick was a native of North Britain, having been born at Dumbarton, and that he was carried away captive from thence in his youth.

The justice of this inference founded on the statement of the scholiast and the other evidence adduced, is rendered extremely doubtful by information contained in the Irish version of Nennius.† Mr. Herbert in supplying an introduction and additional notes to that work, has discovered that the Latin copies mention two British cities named “Caer Britton,”‡ and he appears to be quite unable to determine which of these cities was Dumbarton, and which was Bristow (Bristol).

It would thus appear that there were in St. Patrick’s time, two cities called Caer Britton. The name in both cases was gradually altered. In the one case it passed through the forms “Dunbreatan,” “Dunbritton,” “Dumbarton,” in which some trace of its earliest form is discoverable. In the other case it appears as Brit-stow, Brightstowe, and Bristol, in which all traces of its derivation were soon lost. It was quite natural that the scholiast, finding that Nempthor (Alcluit) was identified as Caer Britton, and being unaware that Bristol had also borne that name, should at once conclude that the former was the place indicated as the birth-place of St. Patrick.

The words used by St. Patrick in his Confession appear to be conclusive as to which of these cities we should select. He speaks of going “in Britannias” (the plural number). Now, the names by which the Romans had distinguished the different

* M’Culloch’s Geographical Dictionary, Ed. 1841, word “Glastonbury.”

† Publications of Irish Archæological Society, Dublin, 1848.

‡ In the Irish copies one of them is called Caer Breatan, and the other Caer Brut.—*Additional Notes to Irish Version of Nennius*, pp. iii., iv.

parts of Britain were obliterated by the Saxon conquest, St. Patrick, which commenced in St. Patrick's lifetime, and were probably in a short time forgotten. St. Patrick, however, would naturally use these names for the different parts of the island.

Great Britain was known to the Romans as Britannia, but that portion of it which was immediately subject to them they distinguished by the name of Britannia Romana, designating the rest of the country Britannia Barbara. Britannia Romana was at an early period divided into two provinces, one to the south of the Thames and Severn, and one to the west of the Severn and the Dee, which included Wales. These provinces were called respectively Britannia Prima and Britannia Secunda, a mode of distinguishing them similar to that which we have adopted in the appellations of Upper and Lower Canada.

In the course of time other provinces were added: Maxima Cæsariensis comprised the central parts of England; Flavia Cæsariensis lay to the north; and Valentia included that portion of the extreme north of England and the south of Scotland, which lay between the Roman roads or walls, one of which extended from Carlisle to Newcastle, and the other from the Frith of Clyde to the Frith of Forth.

From the division of the empire by the first Christian emperors down to the time of St. Patrick, Britannia Romana was divided into these five provinces. The gradual change which took place in the nomenclature of the Roman colony was similar to that recently effected, by which the name of Canada formerly applied only to the two provinces of Upper and Lower Canada, has come to have a wider signification by including the Dominion of Canada, which comprehends the additional provinces of Nova Scotia, and New Brunswick.

Now, if a man whose father and grandfather were Canadians, and who was proud of his connexion with these provinces as distinguished from the rest of the Dominion (*e.g.* Nova Scotia), desired to specify the place of his birth, the simplest manner in which he could indicate his native country would be to speak of it as "the Canadas." If he used the term "Canada" in the singular number he would

St. Patrick. leave it doubtful whether he meant the old provinces or the
 — Dominion.

When, therefore, St. Patrick expresses his wish to go “in Britannias,” as to his native country, and to his parents, he must be understood to refer to the old Roman provinces, *Britannia Prima* and *Britannia Secunda*. In the very centre of the district thus indicated *Caer Britton* (Bristol), *Glastonbury*, and the *Tor of St. Michael* are situated, being actually in the former province, but separated from the latter only by the river *Severn*.

The second *Caer Britton* (*Dumbarton*), on the other hand, is in the province called *Valentia*, the latest addition to the Roman territories; and if St. Patrick was really a native of that province, he would naturally have spoken of it as *Valentia*, or, when speaking generally of his native land, would have made use of the comprehensive term *Britannia* (*i.e.*, *Britannia Romana*). A *Nova Scotian* would not be likely to speak of “the Canadas” as his native land, inasmuch as this term was applied only to Upper and Lower Canada before *Nova Scotia* was annexed. He would naturally either distinctly specify *Nova Scotia*, or use the more comprehensive name “Canada,” which is properly applicable to the whole Dominion.

It is to be observed that the mistake of supposing *Caer Britton* (Bristol) to be *Caer Britton* (*Dumbarton*) was one which might readily be made from the remarkable similarity of the position of the two places. Both were great Roman military stations, at the head of important western estuaries; Bristol being in the same position with regard to the river *Severn* as *Dumbarton* is with regard to the *Clyde*. Both were situated close to the junction of two rivers*—Bristol, near where the *Frome* meets the *Avon* in the tidal part of the latter, and *Dumbarton*, near where the *Clyde* and *Leven* unite in the tidal part of the former. In one circumstance, however, Bristol was more favourably placed than *Dumbarton*, viz., in its close proximity to *Caer Baden* (*Bath*),

* Lanigan (*Ecclesiastical History of Ireland*, vol. i., p. 93) suggests that *Bonaven* means river-mouth.

which was a flourishing Roman colony, much resorted to ^{to St. Patrick.} by wealthy Romans, by whom it was called "Aquæ Solis et Thermæ," and which was of sufficient importance to have civil officers of the rank of Decuriones, a position which had been held by St. Patrick's father. The Roman remains still found at Bath furnish evidence of its ancient greatness, and the Roman encampments still existing at Clifden, on the Avon, at Rownham, and at Abbotsleigh attest the estimation in which it was held as a military station. And so Bristol, Glastonbury, and the Tor of St. Michael or Nempthor, would be all situate in a district of encampments, which some have thought to be the meaning of the name Taberniæ or Tiburniæ, which occurs in the description of Bonavem or Bonaven Taberniæ, the place where St. Patrick's father resided at the time of his capture. This place is also said to be near the western sea, or the Atlantic ocean, a description which is much more applicable to the position of Bristol than to that of Dumbarton, and it is not unreasonable to assume that the place of St. Patrick's birth (Nempthor), and that of his father's subsequent residence, were not far distant from each other.

The theory of St. Patrick's birth at or near Dumbarton is not the only one we have to consider. Dr. Lanigan suggests that he was born at Boulogne in France, and in support of his opinion refers to the language used by St. Patrick in his Confession, already noticed. He also quotes various authorities to show that there was a place called "Brittan" in that country quite distinct from Armoric Brittany, which received its name at a later period from the Britons, who were driven out of England by the Saxons, and settled there.

But the true interpretation of the language of the Confessions is probably to be found by referring to the division of the Western Empire effected by the first Christian Emperor Constantine, and to the names then given to the provinces, names which were still recognised in St. Patrick's time not only by Roman citizens, but also by the Church.

Constantine divided the empire into four governments, or prefectures as he called them; the prefecture of the East, the

St. Patrick. prefecture of Western Illyria, the prefecture of Italy, and the prefecture of the Gauls. The last of these was again divided into three sub-prefectures, viz., that of Gaul, which comprehended seventeen provinces; that of Spain, in which there were seven provinces; and that of Britain, which contained five provinces. The prefecture of Gaul included not only France and Belgium, but part of Germany also, the capital and centre of government being at Treves in Germany.

From these circumstances it is manifest that when St. Patrick spoke of going to "the Britains" and if possible to Gaul, he could not have meant to indicate by the term "Britains" a part of Gaul near Boulogne, which, whatever name it may have borne at an earlier period, had been known in the language of Roman officials and in that of the Church from the time of Constantine, as a part of the province of Gaul, and as distinct both from the ancient provinces of Britannia Prima and Secunda, and from the three other provinces which with them constituted Britannia Romana.

The fact that the Church adopted and recognised the territorial divisions made by Constantine explains the apparent subordination of the British Church to that of Gaul, of which we see indications in the missions of St. Germanus and of St. Lupus to check the Pelagian heresy, and in the desire of St. Patrick to visit the Lord's Saints in Gaul. To what extent both these churches were subordinate to the Pope, as Bishop of Rome, whose authority especially over the western parts of the Empire, was recognised at the Council of Nice (A.D. 325), and confirmed at the Council of Constantinople (A.D. 381), half a century before the mission of St. Patrick, it would be beyond the limits of this preface to consider.

From the fact that St. Patrick speaks of his *brethren* in Gaul the Armoric Bretons have claimed him as a kinsman, just as the Americans claim to have an interest in Shakspeare in no degree inferior to our own, because their ancestors left England at a period subsequent to his death. Dr. Lanigan

suggests the older connexion which existed between Britain ^{St. Patrick.} and Gaul, owing to the circumstance that the former was colonized from the latter, but such connexion does not explain the obvious fact that St. Patrick in speaking of his proposed journey, most carefully distinguishes Gaul from Britain.

It remains for us now to consider how far the theory that he was born and resided with his parents in the vicinity of Glastonbury and Bristol is consistent with the particulars which he has given us of his capture and of his subsequent escape and return to his home.

The date almost invariably assigned for his consecration is the year 432 A.D., at which time he was forty-five years of age according to Tillemont and Lanigan.* His capture is said by himself to have taken place when he was sixteen, which must therefore have been in the year 403 A.D. The Roman Conquest of Britain, commenced by Julius Cæsar in 55 B.C., had gradually extended until all England, Wales, and the part of Scotland to the south of the fortified road or wall which ran from the Clyde to the Forth, were brought under the sway of the Empire; beyond this northern wall were the Picts to the eastwards, and to the west the colony of Irish Scoti.

The decline of the Empire which commenced at the time of the division made in A.D. 395 by Honorius and Arcadius the sons of Theodosius the First, had proceeded so rapidly that when Alaric, king of the Goths, invaded Italy, in the year 402 A.D., Stilicho, the minister of Honorius, found it necessary to withdraw all the Roman soldiers who had been stationed along the northern wall from Dumbarton to the Frith of Forth. The effect of this proceeding was in all probability that the territory left unprotected (Dumbarton and the province of Valentia) was overrun and laid waste by the northern barbarians; and in addition to the evil done by these marauders Gibbon tells us that England suffered from the ravages of invaders (supposed to be the Scots

* Lanigan's Ecclesiastical History of Ireland, vol. i., p. 135.

St. Patrick, of Ireland), who landed upon the western coast. That this should be the part of England selected for their operations is not surprising. The city of Bath, renowned for its wealth and the luxury of its inhabitants, was a tempting prey to those whose object was plunder. Its strength, however, was well known, and hence an alliance may have taken place between the leaders of the Picts, of the Caledonians, and of the Ulster Scoti, joined also perhaps by the kings of Leinster, of Meath, and of Mann, and a combined expedition may have been organized as soon as the news of the withdrawal of the Roman troops, in A.D. 402, was noised abroad. There is nothing, therefore, improbable in the supposition that in the following year many thousand Roman citizens of the south of Britain were carried by the enemy into captivity, to what appeared to them to be distant kingdoms near the extremity of the earth.

The theory that the neighbourhood of Bristol was St. Patrick's birthplace and the home of his early youth is not inconsistent with the account which he gives of his escape from the county of Antrim, where he had served as a slave, and of his return to his parents' house in "the Britains." The allusion in the Confessions to the voices of the youths at Fochlut* (in Mayo) leads us naturally to infer that he had himself been there during his first sojourn in Ireland. If such was the case his visit must have taken place in the course of his journey homewards, after he had effected his escape from captivity. It is not improbable that fearing to venture into any seaport in Ulster, he directed his steps towards the western shores of Ireland.

The youths of Fochlut, in the kingdom of Connaught, may possibly have sheltered and assisted the fugitive, and directed him to the harbour of Drogheda, at the mouth of the Boyne, which, from its proximity to Tara, the residence of the monarch of Ireland, was the port most frequented by persons from all parts of Ireland, as well as by strangers from

* Fochlut. Between Ballina and Killala, in the county Mayo, *vide* O'Donovan's Genealogies, Tribes, and Customs of Hy-Fiachrach, p. 463, note b.

England, and from which he might have had opportunities St. Patrick. of returning to his friends.

In those days of imperfect navigation it is not unlikely that a ship sailing from the Boyne for Bristol might find extreme difficulty, if contrary winds were prevalent, in making her port of destination; in many cases it would be necessary at last to pass round the Land's End to Penzance in order to effect a landing, and so the vessel might well be, as described, three days at sea. We may suppose this to have been the case with the vessel in which St. Patrick sailed for Britain. Disembarked there at a distance from his destination, he would be obliged to undertake a long and weary journey overland to Bristol. Avoiding the coast which, as is stated, was unsafe, in consequence of the attacks of enemies, he would naturally keep inland among the hills and across Dartmoor, the security thus obtained compensating for the additional toil, fatigue, and delay. It might be objected that so long a period as twenty-eight days would not be required to walk from Penzance to Bristol. The difficulties to be encountered by a small party under such circumstances are, however, to be kept in mind. Within the last year, with every resource and assistance that could be supplied by wealth and contrived by modern skill, the English troops were unable to reach Magdala from Annesley Bay, which is about an equal distance, in a shorter time. We need hardly then be surprised that a party wholly destitute of any such appliances should be slow in accomplishing a march through a country at that day probably as wild as Abyssinia at present.

The connexion of St. Patrick with the old provinces of Britannia Prima and Secunda explains many of the allusions in his epistle to the tyrant whom he calls Coroticus, and who is supposed to be the same as Theodoric, king of Cornwall, by whom St. Fingor or Guinger, the son of an Irish king, banished by his father for receiving St. Patrick and embracing Christianity, was massacred with all his followers about the year 455 A.D. The position of Britain at the supposed date of that epistle, overrun with

St. Patrick. Scots and Picts, and with Pagan Saxons, obtaining in the south occasional assistance from Roman officers, who themselves became petty tyrants, makes the suggestion* about Theodoric much more probable than Mr. Nicholson's hypothesis† that Coroticus was the same as Carausius, who lived so early as A.D. 287.

Considering the whole group of facts that have been referred to, the vicinity of Glastonbury, Bristol, and Bath in the old provinces of Britannia Prima and Secunda would seem to be the most probable birthplace of St. Patrick. That doubt should exist on such a point is no cause of reproach to the Irish Annals. The birthplace of the greatest of Grecian poets was a subject of contention between seven cities of Greece, and the historians of Rome were unable to fix the birthplace of the first Christian emperor Constantine, who lived only a century before St. Patrick, so that, as Gibbon tells us, there was a literary and almost a national contest as to whether he was a native of Britain, Nicomedia, or Dacia. Gibbon himself has only ventured to say that Dacia was most probably his native land.

In support of the views put forward in this Preface with respect to the native place of St. Patrick and St. Cairnech, it is interesting to refer to the allusion in the writings of the great antiquary who has passed away since this volume was commenced, for the publication of which he was a Commissioner. Writing in 1849, Dr. Petrie says—"I suspect that you got Christianity in South Wales long before we got it into Ireland; and, also, that we are indebted to you for it."‡

The difficulties in reconciling the different statements as to particular incidents in the life of St. Patrick have been used for the purpose of throwing discredit on the early biographies, and for attempting also to overthrow the ordinarily received chronology, and to substitute the

* Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland, vol. i., p. 60, note.

† Nicholson's St. Patrick, &c., p. 32.

‡ Letter in Stokes' Life of Petrie, p. 365.

third for the fifth century as the time in which he St. Patrick. flourished.

Before condemning the ancient Irish Annals in such a wholesale manner, it is worth while to consider whether any circumstances existed likely to cause error in the early chronologies, whether it is possible to ascertain the limits of error likely to be produced by such circumstances, and whether the discrepancies in the Irish records exceed these limits.

We are so accustomed to the modern method of measuring time from the commencement of the Christian era, that we are apt to forget that until the overthrow of the Western Empire the mode of computation employed was either the Greek or the Roman, the former of which was by Olympiads, the latter dating from the foundation of the city of Rome. Besides these two modes, there were in use in countries such as Ireland, beyond the limits of the empire, methods of computation peculiar to themselves. It was not until the century after that in which St. Patrick prosecuted his mission in Ireland (or about A.D. 527) that the mode of computing time from the birth of our Lord was first proposed by Dionysius Exiguus. It was adopted at different periods by the various countries of Europe. It was not in general use in England until after the year 816 A.D., when it was prescribed by the Council of Chelsea.

The era then introduced was found in later times to be by four years incorrect ; it has, however, been ever since used under the name of the "Vulgar Era."

The first English writer of eminence who is said to have employed the Christian method of chronology was the Venerable Bede ; his dates are however not free from error, for according to Hales there is a mistake of one year in all his calculations.

A further complication, which increased the difficulty of ascertaining all dates prior to the 25th March in any year, arose from the circumstance that England adopted that day as the commencement of the year, while Scotland, following no doubt the example of Ireland and most of the other

St. Patrick. countries of Europe, adopted the 1st of January. This circumstance would cause a difference of one year in the English records, when compared with those of other countries, as to the dates of all events happening between the 1st of January and 25th of March. This latter anomaly continued until the middle of the eighteenth century. In the reign of George II. the English system was abandoned, and the first of January has since been recognised as the commencement of the civil year.

From these circumstances a calculation has been rendered necessary with regard to all events recorded prior to the sixth century, in order to deduce from the record their dates according to our present system of chronology.

After the discovery of the error of four years in the calculations of Dionysius, but previous to the detection of the mistake committed by Bede, and of the effect produced by the fact of there being different dates for the commencement of the year, the commonly received chronology of many events was probably one or two years incorrect.

The remarks of Dr. O'Connor, quoted by Professor O'Curry upon the chronology of the "Annals of the Four Masters," are in complete accordance with the statements which have here been made. He asserts that until the year 800 A.D. the Annals generally date the events four, and sometimes five years before their proper time. From that year until A.D. 1000 they are three and sometimes two years too early, but from A.D. 1000 the chronology is correct.*

Now, if the early dates had been invented subsequently, we might expect to find the chronology correct as well with respect to events prior to A.D. 1000 as with respect to those which took place in later times; and, on the other hand, as these Annals profess to be founded on ancient records, we cannot reasonably expect to find them free from the errors of Bede and Dionysius.

If we examine the records of the death of St. Patrick we shall find some of the discrepancies to fall within the limits of error above referred to.

* "O'Curry's Lectures on the MS. Materials of Ancient Irish History," p. 151.

The following dates are given in different records :—A.D. St Patrick. 489, 490, 491, 492, and 493. They are all obviously derived from the same original, being within the limits already indicated.

In connexion with this subject the particular mode in which dates were calculated before the year 800 A.D., in which the Christian era was adopted, has not perhaps been sufficiently considered.

Dr. Lanigan has alluded to this point in a reference* which he makes to the “Annals of Innisfallen,” and in which he remarks that in those Annals the date of the death of St. Patrick is calculated from the *Passion and death* of our Lord. He explains that the method employed by Bede and others for reducing all such dates to the Christian era was to add in each case thirty-three years. Dr. Todd also has given from “Tirechan’s Annotations” in the Book of Armagh an instance in which the same event is mentioned as having taken place so many years from *the passion* of Christ. He, too, adds thirty-three years in order to reduce that date to the Christian era.†

Such then is the change necessary in order to bring into accord with our modern system of chronology, the dates of events recorded in the ancient manuscripts of this country; and as this calculation must have been made by the writers who lived at the time of or immediately subsequent to the introduction of our modern system we can easily understand how much confusion must have arisen from the copyists simply mistaking the letters A.P. (Anno Passionis), for A.D. (Anno Domini), thus causing an error in date of no less than thirty-three years.

A more natural source of error or one more likely to escape detection in after times it is scarcely possible to conceive. Writers on this subject, instead of examining the difficulties on chronological principles, have adopted the suggestion that there were two St. Patricks living at the same time, and that the one who was born in Ireland was

* Lanigan’s Eccl. Hist. of Ireland, vol. i, p. 362.

† Todd’s St. Patrick, Apostle of Ireland, p. 395.

St. Patrick. the same who was buried at Glastonbury. This hypothesis is rejected by Dr. Lanigan, who insists that Sen Patrick and St. Patrick are one and the same person.

The *Chronicon Scotorum* recently published, serves to show how completely the apparent discrepancies can be reconciled. The editor of that work indeed understands the *Chronicle* to refer the birth of St. Patrick to the year 353 A.D., and pronounces this to be a gross error; but if we assume 353 to be the number of years from the *death* of Christ, and adopt Bede's method of adding thirty-three years in order to reduce that date to the Christian era we get A.D. 386, which is within one year of the date of the birth of St. Patrick, as calculated by Dr. Lanigan upon the assumption that he must have been at least forty-five years of age when he was consecrated bishop, and before his arrival in Ireland in A.D. 432. If he was consecrated in A.D. 431, then A.D. 386 would be the exact date of his birth on the same hypothesis.

There are two conflicting accounts of the death of St. Patrick given in the *Chronicon Scotorum*. The year A.D. 660, in which there was great mortality in Ireland, is said to have been 203 years after that event; his death would thus be placed in A.D. 457, just before St. Benignus was appointed his successor. It is, however, also mentioned that he died in the year 489 A.D., and it is observable that these two dates are just thirty-two years apart, so that as above explained the discrepancy may have arisen from mere oversight or carelessness.

If we must choose one of these two dates as the period of the termination of St. Patrick's mission in Ireland, there can be little doubt as to the principle on which the selection ought to be made. The words of the Psalmist—"Three score years and ten, and if by reason of strength four score years," fix seventy years as the natural limit to an active and laborious life, such as St. Patrick describes his life in Ireland to have been; while the appointment of St. Benignus as his successor in A.D. 458, is also a circumstance which may serve to guide us in our selection. If St. Patrick was so vigorous

that his life was prolonged to the age of 102, which age St. Patrick. he must have attained if his death took place in A.D. 499, — how can we account for his early resignation of the See of Armagh?

It remains for us then to endeavour to reconcile the apparently conflicting statements made by other authorities also as to the year in which his death took place. The year 457 A.D. is assigned by some, while the Annals of Innisfallen mention the year 432, from the *death* of Christ, or 465 of the vulgar era and 469 of the Christian era. This latter date corresponds with the year obtained by adding thirty-three years to the date (A.P. 436) given in "Tirechan's Annotations" to the Book of Armagh, as referred to by Dr. Todd.* This date also corresponds with the Glastonbury account of his death in A.D. 472, allowing a margin for the error to which, as shown above, the early records were liable.

The Glastonbury tradition alleges that he retired from Ireland some years before his death, just as St. Benignus his successor, and St. Ninian, the Apostle to the Picts, his contemporary, are said to have spent their latter years in repose. We may thus take the year 457 A.D., as the year of his resignation. He was then seventy years old, and we may well believe that he took refuge for the remainder of his life at Glastonbury. The exact date of his death is not known, different writers having extended his life to 78, 82, and even to 85 years.

The accounts given of the ceremonies which took place at Saul, near Downpatrick, in A.D. 457, of obsequies which lasted twelve days, and celebrations of various kinds which continued for a year, and to which the clergy flocked from all parts of Ireland, are much more suggestive of a leave-taking than of a funeral. The news that the great Apostle was about to retire from the work in which he had laboured so long, and accomplished so much, would excite a natural desire among his disciples and converts, to testify their respect by coming to say farewell, and his piety would

* Todd's St. Patrick, Apostle of Ireland, p. 395.

St. Patrick. prompt him to take advantage of such an occasion to encourage and stimulate them to further efforts by joining with them in the religious services of the Church. . The scene might have been in some respects not unlike the parting between St. Paul and the Elders of the Ephesian Church, at Miletus.* The curious dispute as to the possession of his body related in the Annals of the Four Masters, was perhaps a contest between rival parties each anxious that he should take up his residence for the remainder of his life amongst them. The dispute is said to have terminated in both parties being led to think that they had gained their object. Possibly St. Patrick may have assured the claimants from Armagh that he would not go to Downpatrick, and those from Downpatrick that he would not go to Armagh, and then fulfilled both assurances by leaving altogether a country where his presence would only be a cause of division and strife, and to which from failing health he could expect to be of no further use, while in returning to his native land and to his kindred, he would gratify the natural feelings which he had so strongly expressed.

Upon a subject which has engaged the attention of so many able men, and on which so much has been written as the life of St. Patrick, it would be presumptuous to offer a positive opinion; but, in defence of the *Senchus Mor* and of the *Irish Annals* which corroborate it, we have thought it right to examine how far it was possible to reconcile the conflicting statements of authors on the simplest principles of chronological correction, and to submit our conclusions as suggestions for the completion of the biography of the great Apostle of Ireland.

We cannot conclude our observations on St. Patrick without calling attention to the tone in which some of our antiquaries speak on this subject. Mr. Nicholson to whom we have already referred, has, in his recent work,† quoted, apparently with approbation, the offensive remark of Gibbon with respect to the sixty-six authors who before

* Acts, xx.

† Nicholson's *St. Patrick*, &c., p. 1.

the ninth century had written in praise of the Apostle. A St. Patrick. —
 recollection of the singular inaccuracy of the only two
 assertions,* made by that historian with regard to Irish
 affairs, might have made the writer in question hesitate to
 adopt the objectionable language made use of when referring
 to this subject. Gibbon has stated that Ireland was colonized
 from Scotland, and he denies that St. Patrick was of good
 birth. Mr. Nicholson does not venture to support either
 of these views,† but in accordance with the opinion, now
 universally held, says “the Scots of North Britain were a
 successful colony from Hibernia or Scotia, as it was sometimes
 called;” and in proof of St. Patrick’s undoubted rank
 he quotes a passage from the epistle to Coroticus, in which
 the Saint states, “I was of honourable birth according
 to the flesh, my father being a Decurio, for I gave up my
 nobility.”

Had Gibbon not been misled by his contempt for the
 writings of the early admirers of St. Patrick he would
 probably have reserved his opinion until he had read the
 works alleged to have been written by the Saint. Had he
 done so he would have escaped falling into the error which
 has been thus exposed.

Mr. Nicholson himself affords his readers an opportunity
 of exercising that charity and forbearance which we ask
 should be extended to the writers who narrated their impres-
 sions of St. Patrick more than a thousand years ago. Those
 biographers wrote under great difficulties. The invention of
 printing had not supplied them with authorities, and the
 manuscripts on which they were compelled to rely, were few
 and imperfect. Compare their position with that of modern
 investigators. We have the works of Ussher and Lanigan,
 the researches of O’Donovan and O’Curry, as well as the
 publications of the Archæological Society and of the Celtic
 Society, and yet, with all these advantages, Mr. Nicholson
 in his “St. Patrick the Apostle of Ireland in the Third
 Century,” by an oversight excusable only when we consider

* Gibbon, chaps. 25 and 36.

† Nicholson’s St. Patrick, &c., p. 38.

St. Patrick. the difficulty of the subject treated of, has done a signal
 --- injustice to one of our greatest antiquaries. This oversight
 we have next to notice.

King Core. In the preface to the first volume of the *Senchus Mor* an
 objection is noticed which had been made to the account
 therein given of the compilation of that work, viz., that
 King Core was not a contemporary of St. Patrick, and it is
 distinctly stated* that Dr. O'Donovan and Professor O'Curry
 had both been taken into consultation upon the subject of
 that and other objections to the chronology, that both had
 concurred with the Editor of the volume in thinking that
 those objections were not well founded, and that there was
 no reason to doubt the statement of the nine alleged authors
 of the *Senchus Mor* being contemporaries; and, yet, in spite
 of this explicit assertion, Mr. Nicholson, although making
 frequent reference to that preface, takes Dr. O'Donovan's
 opinion from a note which he published in the *Annals of the
 Four Masters* fourteen years previously, in which note he
 expresses his agreement with O'Flaherty's opinion "that
 King Core was not a contemporary of King Laeghaire or
 St. Patrick's mission."

Dr. O'Donovan seems to have made this statement in the
 note to the *Annals* without having investigated the subject
 for himself. The ground of his opinion is that given by
 O'Flaherty—"For Core was grandfather of Aengus Mac
 Nadfraech, the first Christian king of Munster," and he adds
 as his authority—Ogygia, III., 786.

This opinion was commonly received until the editing of
 the *Brehon Laws* rendered it necessary that the subject
 should be specially considered. Thus it had been adopted
 by the late Dr. Petrie† in his *History and Antiquities of
 Tara Hill*, and by Dr. Todd in his *Life of St. Patrick*;‡ but
 since the conclusions arrived at after investigation by
 Dr. O'Donovan, Professor O'Curry, and Dr. Hancock,

* Preface to 1st Vol. of *Senchus Mor*, p. xxvii.

† Trans. Royal Irish Academy, vol. xviii., part ii. (1839), pp. 71 *et seq.* See
 also p. 52.)

‡ Page 483, note 1.

were made public, Dr. Todd has signified his concurrence King Core.
in their view by publishing it as his opinion "that Core,
son of Lugaidh, was King of Cashel in the time of St.
Patrick."* The same view is now adopted by others also.†

A doubt, similar to that already noticed with regard to St. Benignus, has been raised as to the chronology of King Core. It is founded on the genealogy given by Keating. The portion material for consideration is the following. "Aengus, son of Nadfroach, son of Core, son of Luighaidh, son of Olioll Flann Beg, son of Fiachadh Muilleathan, son of Eoghan Mor." Referring to Keating's Genealogy as an authority, Mr. Nicholson takes the record of the death of Eoghan Mor at the battle of Magh Mucruimhe in A.D. 195, and adding twenty-five years for each generation, argues that King Core must have been born in A.D. 265. The first part of the genealogy appears to have escaped his notice, for it presents a difficulty in the way of his hypothesis much greater than that occasioned by the assumption to which he objects.

Let us suppose (to put the case most favourably for Mr. Nicholson's view) that Aengus reached the age of eighty-one. The expression made use of in recording his death in battle is, that "his prosperity was cut off,"‡ which seems to imply that he was then in the prime of life, and not a man in extreme old age; but supposing that he was eighty-one years old in A.D. 489, his birth must have taken place in the year 408 A.D., and on this hypothesis the supposition that Core was born in A.D. 265 (i.e. 143 years before) renders it necessary to allow seventy-one and a half years for each of the two intervening generations.

But, if we assume Core's death to have taken place in A.D. 442 (which is sufficient to establish the chronology of the *Senchus Mor*), and suppose him to have attained the age of eighty-one, which will give us A.D. 361 as the year of his birth, we need allow only fifty-five years and one-third for each

* Todd's *Wars of the Gaedhil with the Gaill*, p. 124, note 2.

Illustrated History of Ireland, p. 144.

Preface to first vol. of *Senchus Mor*, p. xxvi.

King Core. of the three intervening generations between him and Eoghan Mor; and when we bear in mind the innumerable instances in which in early times the eldest sons of Irish Chieftains fell in battle without issue, and that consequently the race was continued through the younger branches of the family, this is not an extravagant supposition.

If Mr. Nicholson had examined the entire of Dr. O'Donovan's note, he would not have left unnoticed the difficulty with regard to the date at which the death of Aengus took place; and, recollecting that the record of this event as having occurred in A.D. 489, and of the death of Eochaidh the son of Aengus, in A.D. 523, proves beyond a doubt that Aengus lived in the fifth century, he would not have insisted that the story of St. Patrick's life and mission in the fifth century was apocryphal, because Dr. O'Donovan, in the belief that St. Patrick was a contemporary of King Aengus, had expressed a doubt as to whether he were also a contemporary of King Core.

It is evident in this case, as well as in that of the doubt raised with regard to St. Benignus, that a careful examination of the records of their lives only serves to strengthen and confirm the statements made in the introduction to the *Senchus Mor*.

Selection
of Text.

The text of the present volume has been settled almost entirely on the plan recommended by Dr. O'Donovan in his translation of the *Senchus Mor* from the MSS. in H. 3, 17, and H. 2, 15, T.C.D., which have been taken as the basis of the work. The interpolations are almost, without exception, those suggested by that eminent scholar in his original translation. A fragment from Rawlinson, 506, a MS. in the Bodleian Library, Oxford, has been given as an appendix, on account of its containing some additional matter on the subject of the Law of Social Connexions, not found in any of the Dublin MSS.

The concluding part of the Law of Distress, has been taken, as advised by Dr. O'Donovan, from the MS. in H. 3, 18, from which other shorter interpolations have also

been derived. Dr. O'Donovan's original translation of the two first named MSS., viz. those in H. 3, 17 and H. 2, 15, has been made the basis of the translation given in this volume; but the whole has been revised on the plan explained in the preface to the first volume. In like manner, Dr. O'Donovan's notes to his translation have been made the basis of the notes to this volume.

The portions of the *Senchus Mor* in the MS. in H. 3, 18, T.C.D., were translated by Professor O'Curry and afterwards by Dr. O'Donovan. The text of the concluding pages of the *Law of Distress* is an interpolation from the MS. in H. 3, 18, which was transcribed by Professor O'Curry; it is marked in the margin of the Irish text, C. 816-824, and Professor O'Curry's translation has been adopted as the basis of the translation of this portion. The letters O'D. and C. in the margin, refer, as in the first volume, to the transcripts of Dr. O'Donovan and Professor O'Curry respectively, and not to their translations.

With the exception above noticed, little assistance as regards this or the former volume has been derived from the MS. in H. 3, 18, the only MS. of the *Senchus Mor* translated by Professor O'Curry. That MS. is very defective throughout, the introduction, for example, as given therein, being by no means so complete as that of the Harleian MS. from which the Irish text of the first volume was printed,* while the glosses and commentary are much less copious, as may be judged from the fact that while the original translation of the introduction glosses and commentary in the Harleian copy amount to 53 pages, that of the same portions as contained in the MS. H. 3, 18, amounts to but 29 pages. The disproportion between the rest of the *Senchus Mor* as found in the Harleian MS., MS. H. 3, 17 and MS. H. 2, 15 on the one hand, and in H. 3, 18 on the other, is far greater as regards the other parts than that shown to exist in the case of the introduction, with the glosses and commentaries thereon. In fact a great deal of what relates to the *Senchus Mor* in the MS. H. 3, 18, consists of only scattered and disjointed fragments, useful chiefly for the purpose of interpolation or notes, as supplying

* A *fac simile* specimen page of the Harleian MS. is prefixed to this volume.

Selection of occasionally a fuller reading or a word or sentence not found
Text. elsewhere—a use to which they have been put in the present volume as well as in the former, in accordance with the suggestions of Dr. O'Donovan. It may not be amiss, perhaps, to add that the whole of the interpolations and notes from that MS. employed in Vol. I. would not, if added together, amount to three pages of the work.

Other short interpolations, marked in the margin C., and ranging between C. 2137 and C. 2906, have been taken from Egerton 88, a MS. in the British Museum, transcribed by Professor O'Curry, but translated by Dr. O'Donovan. The Irish text as printed has been in every case compared with the original MSS.

Description of MSS. The MSS. in H. 3, 17, H. 2, 15, as well as that in H. 3, 18, having been fully described in the Preface to Vol. I., page xxxi., &c., it is only necessary to add respecting them, that the MS. in H. 3, 17 is a thick vellum MS. in small quarto, consisting of 874 columns, marked with Arabic figures in a modern hand; that the contents are miscellaneous, consisting chiefly of law tracts; and that the work is made up of fragments of several books, written at various times, probably in the fourteenth, fifteenth, and sixteenth centuries.*

The collection of MSS. marked H. 2, 15, is a large folio volume of 238 pages, partly written on vellum, partly on paper. The fragment of Brehon laws contained in the work appears to have been written not later than the beginning of the fourteenth century.* From this MS. the text of the "Law of Social Connexions" at the conclusion of this volume has been taken.

The collection of MSS. marked H. 3, 18, from which the text of the latter part of the Law of Distress in the present volume has been taken, is a small quarto volume of 665 pages of vellum, and 194 pages of paper, written apparently in the 16th century. The first 500 pages contain various tracts and fragments of Brehon Laws. The remainder consists of several independent glossaries, poems, historical tales, and pedigrees, &c.

* A *fac simile* specimen page of each of the MSS. H. 2, 15, and H. 3, 17, is prefixed.

The book of MSS. marked Egerton 88, from which a few passages in the first part of this volume have been interpolated, is a small folio book consisting of ninety-three folios, the greater part in double columns, a small portion at the end in triple columns. This book, which from a notice nearly defaced at the top of folio 79 A, and another at page 2 of folio 2, appears to have been copied for Domhnall O'Davoren in the year 1567, contains tracts on Brehon laws, with some historical and romantic tales, a fragment on Irish grammar, and an ancient Irish glossary. At the lower margin of folio 11 B there is a note to the following effect:—
 “This is the eve of the great festival of Mary, and it grieves me that Donogh O'Brien is in danger of death from the son of the Earl of Ormond, and it is a wonder to me that Cairbre is courting counsel from Connor. The Park is my residence. Magnus for Domhnall, and himself travelling Eire. Anno Dom. 1567.”

The MS. marked Rawlinson 506, in the Bodleian Library, Oxford, is a small folio book, written on vellum, with a few leaves of paper at the end containing some Latin entries. The portion from folio 16 to folio 61 contains tracts on Brehon laws. The first fifteen folios and the remainder, from folio 61 to the end, contain fragments of grammatical and topographical works. The law tracts in this MS. were written, in the opinion of the late Professor O'Curry, by Adam O'Cianain or O'Keenan, in “a fine clear hand, like that in the Book of Ballymote, but better.” In the Annals of the Four Masters, under the date A.D. 1375, the death of Adam O'Keenan (O'Cianain), a canon and learned historian, is said to have taken place at Lisgoold, in Fermanagh, near Enniskillen. O'Reilly (Irish Writers, p. 102) says that he had in his possession two volumes on vellum, in the handwriting of this O'Keenan, one of which was a copy of ancient laws. If Professor O'Curry's opinion be correct, we should thus have the close of the 14th century as the date of the MS. Rawlinson, 506. The O'Cianains or O'Keenans appear to have been a literary family, for besides this Adam O'Cianain, we find the death of Gilla-na-naev O'Keenan,

Description
of MSS.

Description
of MSS. abbot of Lisgoold, noticed under the year 1345 of the same annals. Moreover, there is recorded, under the year 1405, the sudden death of Gilla-na-naev, the son of Rory O'Keenan, ollav or chief professor of history of Fermanagh, while the death of Cormac O'Keenan, a learned historian and poet, is mentioned at the year 1508.

Evidence
from MSS.
of anti-
quity of
Senchus
Mor.

These manuscripts contain in some places references to more ancient copies of the Senchus Mor as the authority for particular glosses or commentaries on portions of the law. Thus, in the treatise on Hostage Sureties (p. 133) we are told that "this is the old reading of the same Yellow Book." And again (p. 135), with reference to another portion of the commentary, we read "that which follows down here is from the Senchus Book of O'Scoba;" and further still there is a distinct reference to an older writer (p. 139), where it is said—"The author here advises the defendant, if pledges or sureties have not been accepted from him for his own pledge, to take the hostage surety of the plaintiff until what is lawful be given to him."

The particular member of the O'Scoba family whose work is referred to has not been ascertained. Two persons of this name are mentioned in the Annals of the Four Masters as having attained to a distinguished position in Ireland. One Ua Scoptha became a comharb of Comman (probably abbot of Roscommon), and died in the year 1093; and Carbry O'Scoba, a friar of the order of St. Dominic, was appointed Bishop of Raphoe in 1266, and died in 1275.

Professor O'Curry, in his list of ancient Irish books, most frequently referred to in other MSS., mentions "The books of O'Scoba of Clonmacnoise." If the Senchus of O'Scoba referred to at p. 139 was one of his books, it must have been in existence in the eleventh century, before the first introduction of English law into Ireland, in the reign of King Henry the Second.

It also appears that the books used by the compilers of the MSS. from which the text is taken were themselves founded on books still more ancient. Thus in the Law

of Fosterage (p. 147), after a description of the rules of Fosterage as to the clothes to be worn by children of different ranks of society, there is added—"Another version; no book mentions a difference of raiment, or that there should be any difference in clothes at all." This remark clearly indicates that the compiler of the manuscript referred to as the other version, had himself before him a number of distinct books containing the *Senchus Mor*, with different commentaries.

The reference to a *Yellow Senchus* (*Senchus Buidhe*), explains perhaps the contraction "S. B." which occurs after several passages of the commentary. The passages thus marked probably rest for authority upon the *Yellow Book* referred to (p. 133). It also suggests an explanation of the contraction "S. D." which occurs in the margin or at the end of other passages. This is probably a contraction for "*Senchus Dubh*," and refers to a *Black Senchus*; or it may be a contraction for "*Senchus Dul*," a *Senchus Book*, and may refer to the *Book of O'Scoba*, quoted at page 135.

If the contractions "S. B." and "S. D." indicate as here suggested law MSS. of different colours, such designation would only be in accordance with the well-known practice of distinguishing Celtic MSS. Thus we read of the *Yellow Book of Leacan* (*Leabhar Buidhe Lecain*), the *Black Book of St. Molaga* (*Leabhar dubh Molaga*), the *Red Book of Mac Egan* (*Leabhar ruadh Mhic Aedhagain*), the *Speckled Book of Mac Egan* (*Leabhar breac Mhic Aedhagain*), and others mentioned by Professor O'Curry.*

A few words that have a technical meaning have been left untranslated in this as in the first volume. The interpretation there suggested of "Cain" Law, as a law applying to all Ireland, and of "Urradhus" Law, as applying to the local modifications of the general laws, consequent on the division of Ireland into separate kingdoms, seems confirmed by the portions of the law included in the present volume. Thus the universal law of fosterage is called "Cain Iarrath." The laws of tenure are called "Cain Saerrath" and "Cain Aigillne," and the law of social connexions is called "Cain

Evidence
from MSS.
of antiquity
of *Senchus
Mor*.
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Untrans-
lated words.

* Lectures on the MS. Materials of Ancient Irish History, pp. 20, 190.

Subject
matter of
volume.
—

Lanamhna." The "Urradhus" law is only referred to in a few cases for minute distinctions.

The subject matter of the portion of the *Senchus Mor* contained in this volume are—

The completion of the Law of Distress commenced in the first volume.

The Law of Services of Hostage-Sureties.

The Law of Fosterage.

The two Laws of Tenure ; and

The Law of Social Connexions.

Law of
Distress.

The part of the Law of Distress given in the first volume related chiefly to the different kinds of distress, and the modes of taking the same ; the portion in this volume is chiefly concerned with the mode of keeping the distress, the limitations as to taking a distress, and the cases of exemption.

The untranslated words retained in this part of the work are those that distinguish the places in which a distress could be kept. Amongst them are two kinds of forts, called respectively "Lis" and "Dun," and it has been thought right to preserve this distinction by calling them "Lis"-fort and "Dun"-fort respectively, as it is plain they are not equivalent terms. The two words are preserved all over Ireland in the names of many towns and townlands, as Liscarrol, Lismore, Lisnagarvey (now Lisburn), Lisnaskea, and Listowel, &c. ; and Dunboyne, Duncannon, Dundalk, Dundrum, Dungannon, Dunmore, Dunsaney, &c.

In the case of pounds there are several distinctions which it has been thought right to preserve. Thus the "Mainner"-pound, or enclosure of the man by whom the distress was taken, is distinct from the "Scor"-pound. The "Forus nacra," another term applied to a "Mainner"-pound, is distinguished from the "Forus nditin," a habitation of the chief poet, and from the "Forus mbreitheamhan," a habitation of the Brehon.

As to the treatment of the distress when taken, the law prescribes that it was to be brought into a strong place for secure keeping and protection, and gives minute directions as to the penalty in case of any accident happening to cattle taken in distress.

There were seven greens appointed for distress, at which the debt was demanded. Each grade or rank had an enclosed green field in which cattle might be lodged. Every such green was to be level land, and at a distance from the border of the territory (p. 13) in order to insure the safety of the cattle confined therein, which might otherwise be stolen. In the limitations prescribed in taking a distress, the rights of parties who had claims for free quarters or food-rent on the defendant were recognised as prior to those of creditors if of lower rank than the parties entitled to the free quarters. This arrangement is similar in principle to the landlord's priority of claim over an execution creditor in English law.

In like manner certain cattle were exempt if other less valuable cattle were present sufficient to satisfy the claim. In the case of a kinsman-surety, even his land should be taken before the exempt cattle, as he might use the cattle as food, but land would be of no use without the cattle; and in the case of both debtor and kinsman-surety, the person of the party liable was exempt as long as he had either cattle or land to satisfy the claim.

In the case of fools, madmen, idiots, and dumb people, their persons were exempt from distress, but their guardians could be distrained; and as regards women and boys, they were held liable for their own debts only.

The law contains strict provisions for punishing every illegal act in connexion with a distress, whether committed through ignorance, difficulty, or carelessness. It prescribes appropriate fines for the different illegalities, and provides that the expense of feeding and tending the cattle while impounded should be paid out of the value of the distress.

With regard to the persons who could act as law-agents in taking a distress, there was a prohibition against a stranger, or a landless man acting in this capacity, and there were also restrictions as to the selection of advocates.

There were special provisions in the case of a debtor who had no property. He could be arrested after one day's notice,

Law of
Distress.
—

Law of
Distress.

if he was of chieftain grade, unless he could get a native to become surety for his remaining in the territory until the case was tried. If he attempted to escape he might be at once arrested in any other territory except that in which he committed his crime, or made his contract, or that in which his residence was situated. This privilege of passage gave him freedom elsewhere. If he had no residence, some authorities held that he might be taken at once; others maintained that he could only be taken in the territory in which the offence had been committed.

The dignity of kings was preserved in the ancient law by the provision that they should not be distrained directly, but that certain officers of theirs called steward bailiffs should be distrained in their place. In the Commentary this privilege is extended to bishops also. The great dignity of the chief poets in Ireland, like that of the arch-druids in Gaul and Britain, as described by Cæsar, would readily enable St. Patrick, on the conversion of the druids, to secure this privilege of freedom from distraint, and many similar privileges, for the Christian bishops. The prerogative of the Crown at the present time, by which the Queen sues and is sued through the Attorney-General, is very similar to this privilege.

The Irish law contains also some special provisions respecting the absconding of a debtor, and with regard to the length of the "anadh," or stay, and the "dithim," or delay in pound—terms which have been explained in the preface to the first volume. These periods are regulated according to the distance between the residence of the plaintiff and that of the defendant, and also according to the nature of the property taken, or of the grade of the person to whom the property belonged.

The Commentary contains some curious regulations as to the mode in which the right of distress is to be carried into effect in the case of different animals, and in relation to persons of different trades, occupations, or professions. These provisions indicate that the chief wealth of the country consisted then, as now, in cattle, sheep, and pigs

One leading peculiarity is the great estimation in which bees were held—so much was this the case, that there is among the Brehon Laws a short code on the subject of bees. The difficulty of obtaining sugar in early times naturally rendered honey an object of considerable value. From the fact that the subject of one of the Georgics of Virgil is the management and care of bees we may learn what an important place the keeping of bees and the production of honey occupied in early Roman agriculture; we need not, therefore, be surprised that they should occupy a similar position at the same period, as well as in later times, in Ireland. More favoured lands, in which the climate rendered such care less necessary, are described as “lands flowing with milk and honey.”

The sugar-cane was so little known to the Greeks that one of Alexander's generals, in noticing an Eastern campaign, mentions that “the people got sweetening matters from reeds, without bees.” The lateness of the period at which sugar became an article of commerce appears from its being noticed as a novelty by the early Crusaders, and from its being used in Europe only as a medicine until the year 1466. The references to bees, and to the regulations respecting them, afford in this way a curious evidence of the real antiquity of the Irish laws, as it would never have occurred to a writer living at a time when sugar was abundant, and honey of comparatively small value, to attach such importance to bees as to make them the subject of special legislation.

In the taking of different kinds of distress special ceremonies were required to be observed. These singular observances were not however peculiar to Ireland. Gibbon has noticed* how in the jurisprudence of Rome at an early stage all proceedings were marked by outward signs; and as an illustration of this usage, he mentions that “a work was to be prohibited by casting a stone.” Similarly in the Irish Law we have this regulation, “in the distraint of barren cattle that are not in a cow-house a stone is

* Decline and Fall of the Roman Empire, chap. 44.

Law of
Distress.

to be thrown over them three times before witnesses, after which they are put into a 'coman'-pound for a day and a night."

We are not then to pronounce any of the other ceremonies prescribed in the Irish Laws, for which a parallel has not yet been traced, peculiar or anomalous; they are in truth only indicative of the very primitive state of society which must have existed in Ireland when the laws were first established and those ceremonies came into use.

Law of
Hostage
Sureties.

The next subject treated of in this volume is the law of hostage sureties. This branch of law arose from the division of authority arising from the fact of Ireland being composed of a number of distinct provincial kingdoms and sub-kingdoms. The provincial kingdoms were originally five in number; their situation, though not their exact boundaries, is indicated by the names of Meath, Leinster, Munster, Ulster, and Connaught. Before the *Senchus Mor* was composed, Ulster had been divided into the kingdoms of Ulad, consisting of the parts of Ulster east of Armagh; Oirghialla, including the parts of Ulster south and west of Armagh, and Ailech (now Derry), including the parts of Ulster north and west of Armagh.

The sub-kingdoms were very numerous, and probably corresponded in size with many of the modern baronies which retain the names of the ancient sub-kingdoms, such as Fews and Oneilland in Armagh, Farney and Dartry in Monaghan, Deise in Waterford, Conilloes in Limerick, &c., &c. The inhabitants of each sub-kingdom were chiefly of the same tribe of people, and it is to them rather than to the provincial kingdoms that the law of hostage sureties no doubt related.

When the plaintiff belonged to one of the sub-kingdoms or tribes and the defendant to another, recourse was had to a system of sureties quite distinct from the kinsman-sureties elsewhere mentioned. The "Giall" or hostage-surety of the defendant was one whom a plaintiff might sue if the defendant absconded, and from whom a plaintiff

was bound to accept pledges and securities. Again, if the plaintiff did not accept the pledges or securities offered by the defendant, the defendant might proceed against the hostage-surety of the plaintiff. If the hostage-surety for either party had to pay, he was to be indemnified by the party for whom he was surety.

Law of
Hostage
Sureties.
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One of the principal features of Irish society which has been transmitted to us by history and by tradition was the prevalence of fosterage, or the custom of placing the children, especially of chieftains and of leading men, in the charge of other members of the tribe during their early years. In this volume there is a treatise of considerable length on this subject, entitled *Cain Iarrath* or the "Cain Law of Fosterage."

Law of
Fosterage.

Of fosterage in Ireland there appear to have been two kinds, viz.:—Fosterage for affection, and fosterage for payment. In the former the foster parents received no remuneration, in the latter the terms were regulated according to the rank of the contracting parties.

The most ancient scale of prices of fosterage mentioned is as follows:—three "seds" for the son of an 'Og-aire'-chief; five "seds" for the son of a 'Bo-aire'-chief; ten for the son of an 'Aire-desa'-chief, and of an 'Aire-tuise'-chief; and thirty for the son of a king.

In the Commentary there are later modifications of this scale, and it is said that the price of fosterage is the same for all ranks up to that of the 'Bo-aire'-chief, and amounts to three cows. For an 'Aire-desa'-chief the price was four cows; for an 'Aire-echta'-chief, six cows; for an 'Aire-ard'-chief, nine cows; for an 'Aire-forgill'-chief, twelve cows; and for kings the price was eighteen cows. It is mentioned also that in the case of Poets, who formed a distinct class of society, the price of fosterage varied, according to their grades—for there were seven grades of Poets.

The ancient law books prescribe no distinct dress for the different orders of society, but the Commentary mentions that distinctions in this respect had subsequently been adopted,

Law of
Fosterage.

which it proceeds to describe. The son of the King of Erin was to wear satin and to have clothes of scarlet colour; he was to have silver in his scabbard, and a brooch of gold with crystal inserted in it. The sons of chieftains were only to have tin scabbards. The sons of the kings of a territory were to have only a silver brooch. Minute regulations as to the kind of food to be given to the children of the various ranks in fosterage are also laid down.

The provisions of the law respecting the instruction to be given to foster children indicate the primitive state of society existing at the time at which the law was framed. The boys of humbler rank were to be taught the herding of lambs and calves and kids and young pigs, as well as kiln drying, combing, and wood-cutting. The girls were to be taught the use of the primitive stone implement for grinding corn, called a quern, kneading, and the use of the sieve.

The sons of chieftains of the higher ranks were to be taught horsemanship, shooting, chess-playing, and swimming; and the daughters were to be instructed in the arts of sewing, cutting out, and embroidery. The interest taken in those early times in an amusement still retaining its popularity, especially among the wealthy, is shown by a provision in the law to the effect that the son of a king was to have a horse in the time of races.

In a series of very minute regulations the law provides for the determination of the various intricate questions and disputes which might arise out of the custom of fosterage. Thus the foster father, in case he was changing his residence and leaving the territory, might "through necessity" return to its parents a child which he previously had in his charge; or he might return it because "it was not fit to be fostered," in case, for example, it was afflicted with some disease. Again, he might return a child from pride or caprice; and for each of these three cases regulations are laid down respecting the fosterage fee, whether it is to be retained by the foster father, returned, or divided with the parent of the child.

The father on the other hand might from necessity take away his child from fosterage. If, for example, he was leaving

the territory, or if the child was not properly taken care of. Or he might take it away from pride or caprice, although the child was properly cared for by its foster parents. Or he might take it away from bad fosterage, although not influenced to do so by that circumstance; and for all these cases provision as to the fosterage fee is also made. Law of
Fosterage.
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The period of fosterage terminated when the young people arrived at a marriageable age, or, as it was called, the age of selection, which was fixed at the age of fourteen years for girls and seventeen for boys. It might be terminated sooner by death, or by the child committing such an offence that the foster father was afraid to be responsible for his crimes.

This liability of the foster father for the crimes of his foster children is the subject of very minute and elaborate regulations in the law. It varied according to the kind of fosterage. Thus in fosterage for affection, the foster father was not liable for crimes committed by the child when not with him; and in the case of fosterage for payment, he is only liable for crimes of neglect and for the child's first crime of intention; but after the father is warned, or if he knew of the disposition of the child, he is liable for all crimes of intention. The foster father was also liable for injuries which the foster child might sustain while under his charge, and was entitled to a share of the compensation for such injuries recoverable from the person who inflicted them.

When the foster father restored the child to its own parents he presented it with a parting gift, which came to be called the "seds of lawful maintenance," and the validity of the foster father's claim to be maintained by the foster son in his old age, depended upon whether at the end of the fosterage he had given the prescribed number of "seds." This claim arose only in case his own children were dead or were unable to support him, and in case there was no person whom he had previously fostered in a condition to discharge the duty.

With regard to girls who had been fostered, less was expected from them towards the support of their foster parents, and this circumstance is mentioned as one of the

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Fosterage.

reasons why a somewhat larger fosterage fee was paid in their case.

The system of fosterage appears to have been connected with the "Geilfine" tribe relationship which existed in Ireland, for it is mentioned that the relations who were within this degree were those who received the children in fosterage. The direct "Geilfine" tribe relationship was that of the father, son, grandson, great-grandson, and grandsons to the fifth generation, and in what was called the reverse line, i.e. the brother of the father and his sons to the fifth generation. From the fact that the custom of fosterage existed to a later period in Ireland than in neighbouring States it has by some writers been represented as a reproach to the ancient institutions of Ireland, but as it is well observed by Mr. Thorpe on the word 'foster' in his learned Glossary on the Ancient Laws and Institutes of England, "it would seem that the custom of placing a child out as foster son or daughter with another having a child or children, so that all might be bred and educated together, was as prevalent among the Anglo-Saxons as among the Scandanavian nations." We find, too, in the Laws of Wales,* sufficient indications of the existence of the practice in that country.

Laws of
Tenure.

In the next sections, "Cain Saerrath" and "Cain Aigillne," considerable light is thrown upon the interesting subject of the ancient Irish tenures, or relations between the occupiers of land and the chiefs of the tribe. It is, of course, impossible to explain this intricate matter fully until the rest of the laws have been revised and published, especially the parts relating to tribe law, and to the tenure of land by the tribe, as well as the law relating to chieftains and grades of society; but sufficient information is furnished in the two important sections contained in the present volume to enable us to indicate, at least, the main characteristics of the Irish law upon the subject.

The first important characteristic appears to be that each

* Ancient Laws and Institutes of Wales. Folio edition, 1841, pp. 393, 541, 588, 684, &c.

occupier of land belonged to a tribe, and was liable, in common with the other members of the tribe, to certain tribal obligations, such, for example, as the support of old members of the tribe who had no children ; he was also subject to his proper share of liability in certain contracts entered into by others, if made with the assent of the tribe.

Laws of
Tenure.

As he might himself involve the other members of his tribe, he was not perfectly free as regards the contracts which he could make ; neither was he free as to the disposal of the land, which was considered, to a certain extent, common tribal property. Thus, he could not sell his land or alienate it in favour of an adopted son, a member of an extern tribe. He was bound to offer the land on sale to his nearest kinsman, before external persons (*i.e.*, persons not of the tribe) could obtain it.

The tribe might protect itself by proclamation against an unworthy occupier of tribe land, and was guarded by law from any liability in consequence of the acts of labourers, cottiers, foster-sons, pupils, or of a son whose father was living, unless such son was supporting his father. The chieftainship of the tribe was an office like that of the president of a republic, and not a matter of absolute private right like that of an hereditary monarch.

Thus, the law prescribes—

“ Every head defends its members, if it be a goodly head, of good deeds, of good morals, exempt, affable, and capable. The body of every head is his tribe, for there is no body without a head. The head of every tribe, according to the people, should be the man of the tribe who is most experienced, the most noble, the most wealthy, the wisest, the most learned, the most truly popular, the most powerful to oppose, the most steadfast to sue for profits and to be sued for losses.”—(p. 279.)

This law furnishes perhaps some explanation of the prevalence of fosterage, inasmuch as the training which that usage provided was obviously well calculated to develop many of those qualities upon which the selection of the chief ultimately depended. The necessity for the possession of

wealth on the part of the chieftain led to another peculiarity in Irish tenure. The chief's claim for rent was contingent on his supplying stock to the occupiers of his land. There were two modes in which he might do this. The stock might be given either in "saerrath" or "daerrath." These words have hitherto been translated, from the analogy of the Feudal Law, "free tenancy" and "base tenancy," and this translation was adopted in the introduction to the first volume of the *Senchus Mor*; but Dr. O'Donovan, though using the translation in the "Book of Rights," was not satisfied with it, for he observes (p. 41), with respect to the terms "saer tuatha" and "daer tuatha"—

"The relation is not fully explained by the terms of the translation, 'noble tribes' and 'unfree tribes.'"

The more attentively the treatises on the laws of tenure were examined the more forcible did Dr. O'Donovan's objections to such translation appear. It has, therefore, been thought best to preserve the Irish terms, merely adding the general common characteristic of both tenures, viz., the giving of stock by the chieftain; and hence, in this volume the "Cain Saerrath" has been termed the 'Cain'-law of 'saer'-stock tenure, and the "Cain Aigillne" has been explained as relating chiefly to the law of 'daer'-stock tenure.

It is somewhat remarkable that the mediæval writers who have most condemned the Irish laws of tenure have omitted to notice in their description of them this essential characteristic, namely, that the stock was supplied by the chief. In their narrowness of mind they could conceive no stable structure of human society but the modified feudalism which they saw around them, and which they consequently felt bound to advocate without any enlightened or impartial investigation of the system which they condemned.

But it is the circumstance that the chief supplied the stock, and the occupier the labour, which makes the Irish system similar to that called by political economists *Metayer* tenure—a system which, originally introduced in the states and colonies of Rome, was common in France till the Revolution

of 1789, and continues to the present hour, in the north of Italy. Prevailing to such an extent in territories subject to Roman jurisdiction, we can readily understand that it received the sanction of St. Patrick, who was the descendant of Roman colonists. We can also understand, without depreciating their capacity, how the Norman chiefs, familiar with it in France, were so ready to adopt it in Ireland, that the most stringent enactments were required to compel their continued observance of the English laws.

In 'saer'-stock tenure the chief gave the stock without requiring any security from the tenant. He gave it in consideration of receiving an annual return for seven years of the value of one-third of the stock given. The chief might claim this return in the form of manual labour at the time of the erection of his 'dun'-fort, or of the reaping of his harvest; or if the chief did not need manual labour, he might require the 'saer'-stock tenant to attend him in a military expedition, and to send a man to do homage to him at the time of the payment of rent.

No member of a tribe could be compelled to take stock in 'saer'-stock tenure from the chief of his tribe. He was, however, obliged to take it from his king, and in this way a wealthy monarch could, by judiciously distributing his stock, secure a valuable force of soldiers in his 'saer'-stock tenants. The tenant might, if he was weary of his tenure, return the stock at any time. If the chief reclaimed the stock, the tenant might offer to take stock on security, that is, on 'daer'-stock tenure, and might claim an addition on that account; and if the chief did not comply, he had then to leave one-third of the stock with the tenant as a penalty for reclaiming it.

The case of a king or chieftain not having sufficient property was met by provisions relating to a man's taking stock from an external chieftain or external king in 'saer'-stock tenure. The office of chief was not necessarily hereditary, and although the possession of property was one of the qualifications for the position, there was no want of respect for hereditary rank, inasmuch as provision is made for the

case of an inferior chief whose father was not a chief. On the other hand, the chief of "true family by father and grandfather" was declared entitled to returns "with all noble rights in general."

The only trace of Metayer tenancy which Adam Smith could find in the British Isles in his time (1776) was that of steel bow tenancy in Scotland, a system which has some resemblance to the "saer"-stock tenure, and which may have been introduced by the Irish colonists.

The principal Irish tenure appears to have been the "daer"-stock tenure into which the tenant entered by choice, and in which he was required to give security for the stock received. From this optional nature of the tenure, the law respecting it was called "Cain Aigillne," that is the 'Cain' law of options in tenure. The securities given under this law were called "Giallna"-securities, to distinguish them from the kinsmen sureties. Though this tenure was optional in its commencement, there are provisions for securing its continuance against capricious termination on either side. In 'daer'-stock tenure the stock which the chieftain supplied to the tenant consisted of two parts—one being in proportion to the honor price of the chief—and the other in proportion to the food rent to be received in return; the first was called "seoit turcluidhe," (returnable "seds," *i.e.*, property), and the second "turcrec" (proportionate stock.) The "seds" included such property, as horses and oxen, as were necessary for tillage; and the proportionate stock appears to have been generally given in the form of a certain number of cattle.

A considerable part of the "Cain Aigillne" is occupied with a description of the proportionate stock required for the different food rents. Thus we have three cows prescribed as the stock to be given for a wether with what was called "accompaniments" as rent. Six cows are required to be given as the stock for a food rent consisting of a calf of the value of three sacks of wheat, a salted pig, three sacks of malt, half a sack of wheat, and a handful of rush-light candles; and twenty-four cows are required to be given as stock for a

food-rent consisting of a cow of prescribed size and fatness, a salted pig also of prescribed size, eight sacks of malt, a sack of wheat, and three handfuls of rush-light candles of prescribed length.

The "Cain Aigillne" contains traces of very careful provisions for guarding against the arbitrary termination by either chief or tenant of 'daer'-stock tenure when once entered into. Thus if the tenant wished to terminate the tenure without the consent of the chief, for the purpose of benefiting himself by taking stock in 'saer'-stock tenure, he had to return the stock and the "seds with double," and to pay double food rent for the year in which he returned them; or if the tenant desired to clear off to another chief, then in addition to double restitution and double rent he had to pay half honor price to the chief.

If the chief sought to determine the tenancy in a case where there was no neglect or disqualification on the part of the tenant, the latter was entitled to retain one-third of the stock and returnable "seds" as compensation for the loss of the rest of the stock, and was not required to pay food rent for that year. If the object of the chief in recalling the stock was to show contempt for the tenant, the tenant was further entitled to retain his honor price, in addition to the third of the stock.

Each party was protected also against the wilful neglect of the other. Thus if the tenant, although able to pay his rent and perform his services, neglected to do so, he had to pay double food rent, to make double restitution of the stock, and to pay 'dire'-fine until it amounted to the honor price of the chief. In the case, however, of the tenant finding himself through poverty unable to pay, if he returned the stock just as he had received it, he was released from all penalty, on the ground that no one should be oppressed for not doing that which, from poverty, he is incapable of doing.

If the tenant was afraid to continue to hold the stock of the chief on account of false judgment or false testimony on the part of the chief, then he was entitled to an immediate

settlement, as if the chief was dead; and in such a case the services which the tenant had rendered were counted against the stock so as to diminish the amount which the chief was entitled to receive, whilst in some cases the chief forfeited his right to the stock altogether upon this way of settling the account.

If the chief, through poverty, had to claim back his stock from the tenant for his own support, he was, on the ground of his want of means, exempt from the penalty of a forfeiture of the third of the stock; he lost, however, the food rent of the year in which he recalled the stock.

These provisions show that in 'daer'-stock tenure both chief and tenant were treated as parties entering into a contract on equal terms, and that the rights and duties of both were equally recognised. The principles thus established are in marked contrast to the servile theories of the feudal system, and contain the germs of that reciprocal equality of contract and obligation by which it is sought in modern times to regulate the relations of employer and employed.

In the list of the various food rents mentioned in the Law of Tenure, considerable light is thrown upon the state of agriculture in ancient times. Then, as now, we find cattle occupying the first place in importance, whilst pigs rank before either sheep or horses. The cultivation of wheat is so general that it is referred to as a standard of value; barley is grown for malt, and ale is the beverage most frequently referred to. In the first volume of the *Senchus Mor* we find that mention is made of all the implements necessary for the cultivation and manufacture of flax, a fact which shows an early predominance of what is still the staple manufacture of Ulster.

In all these things we find a state of affairs not very dissimilar to that which exists at the present day. There are, however in the laws two circumstances—one an omission, and the other a special reference—which mark, in some degree, the date of some of the latest of the commentaries. The first is the absence of all mention of the potato, which was known in Europe in the year 1588, and was introduced into Ireland

by Sir Walter Raleigh in 1610; the second is the importance attached to the production of honey, as already noticed, Laws of Tenure. to which much attention was given until the introduction of sugar as an article of commerce in the sixteenth century. In the preface to the first volume of the *Senchus Mor* the date of the Harleian MSS. was fixed at A.D. 1578, and the two circumstances just mentioned are strong though indirect proofs that the manuscripts cannot belong to a later period.

The last subject treated of in this volume is the “Cain Law of Social Connexions. Lanamhna,” or ‘Cain’-Law of Social Connexions. The connexions discussed are eight in number—two relate to land, five to family or quasi-family relations, and one to the law of husband and wife. The two social connexions relating to land are those between a chief and his “Aigillne” or ‘daer’-stock tenants, and between the Church and her tenants of ecclesiastical lands. The connexion between the chief and his tenants has been fully explained, but it is a remarkable indication of the intimate and, as it were, family nature of this connexion, as recognised in Irish law, that it is specially enumerated along with the strictly family connexions.

Some light is thrown in this section upon the manner in which the lands with which the Church in Ireland was endowed at a very early period were managed. The tenants of these were called “Saer-Manaich” and “Daer-Manaich,”—terms implying amongst the tenants of ecclesiastical lands a distinction between ‘saer’-stock tenants and ‘daer’-stock tenants similar to that which existed amongst the tenants of laymen.

The peculiarity of the connexion between the Church and the tenants of its lands was, that “preaching and offering and requiem for souls were due from the Church to its tenants of ecclesiastical lands, and the receiving of every son for instruction, and of every monk to right repentance.” From tenants, on the other hand, there were due to the Church “tithes and first fruits and alms, and full honor price when they were strong in health, and one-third honor price at the time of death.” The Church had, too, the same power of

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pronouncing "judgment and proof and witness" upon its tenants as was possessed by a chief in respect to his tenants.

In connexion with the controversy as to when the payment of tithes was first made a rule in Ireland, the distinct reference to tithes as a charge upon the tenants of ecclesiastical lands, apart from any direct mention of tithes as a general charge, is interesting, as it is quite possible that tithes would, at the earliest moment, be required from the tenants of ecclesiastical lands before they were demanded from the tenants of laymen; and thus some of the conflicting statements as to the period of their general introduction may be reconciled. But as there are further and more full references to the payment of tithes in the unpublished portions of the laws, it would be premature to do more than indicate the subject here as a matter of interesting investigation.

The family or quasi-family connexions next noticed are five in number—those between a father and daughter, between a daughter and her brother, between a son and his mother, between a foster-son and his foster-mother, and between a tutor and his pupils.

The portion of family law with which this part of the *Senchus Mor* deals was in the case of the father, his obligation to foster his daughter, to pay the price of her fosterage to the foster-father until she was of marriageable age, and to wed her to a man of equal family. The father was entitled to receive the whole of her first "Coibche"-wedding gift, the two-thirds of her second, the one-third of her third wedding gift, and a proportion in a descending ratio of her "Coibche"-wedding gift, as far as the twenty-first.

The responsibilities which rested upon a brother are next described. They appear to relate to the brother who succeeded the father as heir and head of the family. He incurred the same obligation as his father in respect to his sister, but was entitled to only half the father's share of the first and second "Coibche"-wedding gifts; he was, however, entitled to a proportion of her legacy portion and of her body-fine. The law, moreover, laid him under an obligation to support her in old age, and to assist her in poverty.

The mother's obligation was to foster her son ; and the son's obligation was to aid his mother in poverty, and support her in old age. A daughter was under a similar obligation to her mother, her father, and to the men of her tribe. The foster-mother was bound to carry out her obligation of fosterage, and at its termination to give to her foster-son the gift called the "seds of lawful maintenance." The foster-son was bound to assist his foster-mother in poverty, and to support her in old age.

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The foster-tutor or literary foster-father was bound to instruct his pupil without reserve, to prepare him for his degree, to chastise him without severity, and to feed and clothe him during his pupilage. The foundation of this custom of literary fosterage is traced to the time of "the school of Feniús Forsaidh." The foster-pupil was bound to assist his tutor in poverty, and to support him in his old age. The pupil was also to give him the honor price of the degree for which he prepared him, and all the gains of his art while he was learning it, and the first earnings of his art after he left the house of his tutor.

There was one power common to these connexions. The father, the brother (when head of the family), the mother, the foster-mother, and the literary foster-father, had a certain authority over the daughter, sister, son, foster-son, or foster-pupil respectively, an authority which is described as that of pronouncing "judgment and proof and witness" upon them. The form is qualified in the case of the mother and the foster-mother by the condition that they must be "indifferent" (in the sense of impartial) witnesses, but the full nature and extent of this power is not explained in this part of the law. Whatever it may have been, the chief is declared entitled to exercise it over his 'daer'-stock tenants, and the Church over her tenants of ecclesiastical lands, whether holding by 'daer'-stock or 'saer'-stock tenure. The provisions of the Irish family law do not appear to have any connexion with the ancient Roman law. The Irish law demands for the mother a position equal to that of the father, and there is no trace of the exercise of that arbitrary power which was wielded

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by a Roman father over the members of his family, and which in effect reduced them to the condition of mere slaves.

The Irish Law in its provisions that the father and brother should receive a share of the daughters' and sisters' wedding gifts resembles the Hindoo law. The relation of pupil and literary foster-fathers has also its prototype in the same law.

In the reign of King James the First, the Irish law was abrogated, and the obligation of providing for the support of parents was not enforced in Ireland for more than two centuries, until the passing of the Poor Law of 1838. It was, however, cherished amongst the customs of the people, and even the collateral claims of sisters upon the son who inherits the farm on the father's death are at the present day a recognised charge upon the land in districts in which tenant-right prevails. In the remittances of the Irish emigrants, which have been remarked as much greater than those of the emigrants of any other nation, we perceive still existing the same spirit of strong family affection and of mutual obligation and dependence which in early times was promoted and enjoined by this law.

The next branch of the Irish social connexions provided for in the *Senchus Mor*, is that which existed between husband and wife. This branch included also irregular connexions entered into between men and women. With regard to regular marriages the law, so far as it affects property, recognises three distinct cases.

The first case was, where husband and wife had equal property; the second, where the wife was supported upon the property of the husband; and the third, where the husband was supported upon the property of the wife. In the first of these cases the wife, who was called the wife of equal dignity, was recognised in all respects as equal with her husband, and it was not lawful for either party, except in certain specified cases, to make contracts without the consent of the other.

The exceptional cases were those of contracts tending equally to the welfare of both; such as alliance of co-tillage

with a lawful tribe when they have not themselves the means of doing the work of ploughing, tilling land, collecting food and house furniture, or alliance for buying stock and other necessities. Every arrangement with regard to the placing of their children with a friendly foster-father, and every lawful contract which brought mutual comfort and gain into the common habitation was allowable. In order to be lawful, however, such contract should be a fair, conscientious, contract—impartially just—with ready acknowledgment of what was bought, &c.

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At a time when the English law of husband and wife, which has now, for three centuries, been substituted for the Irish law in this country, has been condemned by a Committee of the House of Commons, as unjust towards the wife, and when the most advanced of modern thinkers are trying to devise some plan by which wives may be placed in a position more nearly approaching to equality with the husband, it is interesting to discover in the much despised law of the ancient Irish, the recognition of the principle on which efforts are being made to base our legislation on this subject.

The details of the law need not be dwelt on here, as they are more adapted to the primitive state of society in which it was framed than to the present day. So are also the details with respect to cases of separation, adultery, seduction, abduction, violence, deceit, lunacy, and unequal or irregular connexions.

There is, however, one point worthy of special notice, viz. that by the early Irish law, in cases in which children required protection, they were put under the care of foster-parents. It is somewhat remarkable that after the lapse of so many years, and after the failure of the attempt to rear children on the non-family system in the Charter schools, and on the half-family system of Foundling Hospitals, the true family system corresponding to Irish fosterage should have been revived in modern times by the Protestant Orphan Society of Ireland, adopted by other orphan societies, and finally urged upon the legislature as the

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proper mode of providing for orphans, supported by the poor rates. The Act sanctioning this application of the rates, restricts the age at which children can be kept out at nurse to ten years—a restriction somewhat similar to that imposed by the half-family system of the Foundling Hospital; but the fact that the guardians of one of the principal unions in this country have applied to be entrusted with the power of leaving the children with their nurses until the more advanced age of twelve years, is a confirmation by the experience of the present, of the wisdom of the limits for the duration of fosterage which were established and for centuries observed under the rules laid down by the *Senchus Mor*.

Conclusion. Although two volumes of the *Senchus Mor* have now been published, there is still much to be done for the complete elucidation of the ancient Irish laws. The earlier treatise on criminal law contained in the *Book of Aicil*, and the later treatises on Co-tenancy, Verbal Contracts, Division of Tribes, Paths of Judgment, Taking Possession of Land, &c., &c., all contain matter of deep interest to the statesman, the historian, and the antiquary.

Until the translations of these treatises, which have been made in first draft by Dr. O'Donovan and Professor O'Curry have been published, after revision such as the portions contained in the first and this volume have undergone, it will be impossible to give a complete account of the ancient Irish law system, or to be perfectly certain as to its interpretation. The different parts of a system of laws are so intimately interwoven with each other that each part assumes to a certain extent a knowledge of the rest.

It is, therefore, difficult to form a final opinion of the whole from the parts already published. It is also difficult, in the absence of evidence as to the date of the different glosses and commentaries of the different law schools and jurists, to judge of the adaptation of the special provisions of the law to the changing structure of society in the different portions of the lengthened period during which the laws were in force.

Apart, however, from the details which, living as we do in

a totally different age, it is hard for us to appreciate properly, Conclusion.
 there is some historic evidence as to the general characteristics of the entire system. The only period during which the laws in the *Senchus Mor* were acknowledged over the whole of Ireland was from the preparation of the code under St. Patrick's auspices in the fifth century until the invasion of the Pagan Danes in the end of the eighth century. The first attack of that people on any part of Ireland is said to have taken place A.D. 792. This period was marked by the rapid extension of learning and civilization in Ireland, as well as by those grand missionary efforts in the cause of Christianity which gained for her so well-merited a renown. So many of the Irish missionaries and ecclesiastics of this period distinguished themselves at home and abroad that in after times Ireland was named the Island of Saints.

After Ireland had suffered for three hundred years from the harassing inroads of the Danes, and after a partial conquest by the Normans had been effected, we find that in all the places where the feudal law of the Normans was brought into competition with the ancient Irish law, there sprang up a desire upon the part of the Irish descendants of the Norman chieftains to adopt the latter; and when we reflect that the tenures and other incidents of the feudal system, which the Irish objected to, have been since abolished, and that the whole relation of landlord and tenant in Ireland has come to rest on contract and not on tenure, we can understand this preference for the Irish laws on the part of the Anglo-Norman colonists—a preference so decided as to require the most stringent statutes of Norman Irish Parliaments to restrain it. We have thus strong contemporary testimony that the Irish laws were to a large extent suitable to the then existing state of Irish society.

The opinions hitherto entertained and generally promulgated of the ancient laws of Ireland have been chiefly derived from interested persons who felt bound to advocate the introduction of the English law. In the controversies on this subject the defects of the Irish laws were mainly noticed,

Conclusion. while the great principles recognised therein were entirely, overlooked.

But if we are to judge of the Irish laws on the whole and see how far they were adapted to attain that which jurists assert to be the great object of all law, viz., not merely to settle disputes as they arise, but to infuse into the hearts of the people a love of justice, we shall find that the great lawyer who was most influential in the final overthrow of the Irish laws, and who has freely criticised their provisions, has himself furnished the strongest testimony to the extensive and beneficial effect of the ancient laws and judicial system of Ireland upon the character of the Irish race, in those remarkable words with which he concludes his "Discovery of the true causes why Ireland was never entirely subdued and brought under obedience to the Crown of England until the beginning of His Majesty's (King James the First) happy reign." "There is," says Sir John Davis, "no nation of people under the sun that doth love equal and indifferent justice better than the Irish, or will rest better satisfied with the execution thereof, although it be against themselves, so as they may have the protection and benefit of the law when upon just cause they do desire it."

W. NEILSON HANCOCK,
THADDEUS O'MAHONY.



senchus mor.

SENCHUS MOR.

PART II.

senchus mor.

‘do coimeo’ dligtach annso.

DISTRESS.

- Segur athgabail i ndub aodhíb i nduinib dia
 ditiun; plan cach ditiun; daer cach dicitell; coir
 cach coimeo; dírúach cach dechberre; dligtech
 cach lérugad; dílmuin cach anpót; ainidun cach
 C. 2700. necubur; ar ruis riáu cach nindligi [nao imdóe
 dechbírú íar ndia ocu daine.]

- Segur athgabail, .i. áttairgíótuir in átgabail ír na dub aodhíb dia
 ditiun ír in dun no a ninut inill. Ditiun, .i. dia ro búrúad oc dul ír in
 dun ocu a tabuir a mainner. Plan cach, .i. in cept imain. Daer
 cach dicitell, .i. ra conuib ocu gatuíde, .i. a riachail amuis cin coimeo.
 Coir cach coimeo, .i. buachuil oca coimeo amuis cíó a loí cíó
 an oíóe. Dírúach cach dechberre, .i. plan can cuic feoit in ro uile,
 C. 2701. ocu riaguit i coluin riá ceana, áet ír in tan ír galur bunuib nama,
 .i. galur bunuib no dípoiche de, ní riaguit imurro ainngíóe [a corp riach
 áet átgabail aile] gebur imin cinuib. Dligtech cach lérugad, .i.
 mainnir dligteó tal in aóíe, no rinne feoir a lo. Dílmuin cach
 anpót, .i. dílmuin lium in tanpóitcuir, ce riáctnuisio mil oib ne cele
 ina cept imain no na mainnir dligteó, .i. cema búiréó oib írin mainnir.
 Ainidun, .i. cin in riare tal ma éoaingen in dun. Ar ruis riáu
 cach nindligi, .i. lian díre ocu léó díre ocu tpuan díre innti do
 bídubúó, ocu a dul féin a corp cinuib do péceamuin toicheó, .i. i teacht
 C. 2701. a ngréim átgina gá ní oib muíuigéur ír na [inóeóibub ro].

- Maó muirí riachuituir cin coimeo, no muna háirgíótuir tal
 C. 2701 [mao éoaingen in] dun, íra dul for zneim naétgina do dia
 muíuótuir, ocu cuic feoit la taoebh. Muna te amuga ír cuic
 feoit nama. Cach ní díctuir don átgabail, ír einuclunn ocu
 díre inech rin do péchemuin toicheó. Caó ní imurro na ro

¹ ‘Dun’-fort.’ In the Irish law the ‘Dun’ and ‘Lis’ are both mentioned as places of protection; but not being synonymous (*vide* p. 51, *infra*), the Irish terms have been retained.

² ‘Mainner’-pound. In Irish law there appears to have been more than one species of pound. In the Commentary (p. 51, *infra*), the ‘scor’-pound is mentioned in the same passage with the ‘mainner’-pound. The ‘mainner’-pound is explained in the Gloss. (p. 11, *infra*), to mean the enclosure or habitation of the man by whom the distress was taken, and is distinguished from the ‘forus nditin,’ or habitation of the chief poet, and ‘forus mbreitheamhun,’ or habitation of the brehon.

SENCUS MOR.

OF THE LEGAL KEEPING HERE.

DISTRESS is brought on dark nights into forts to protect it; every protection is exempt; every neglect is condemned; every keeping is right; every necessity is blameless; every improvement is lawful; every inadvertency is venial; every wilful neglect is wrong; for fines are sought for every illegality which necessity does not save according to God and man. DISTRESS.

Distress is brought, i.e. the distress is brought in the dark nights, to protect it in the 'dun'-fort¹ or in a place of security. To protect it, i.e. *the motive was to protect it* though it was injured in going to the 'dun'-fort and in bringing it out of the 'manner'-pound.² Every *protection* is exempt, i.e. *provided there was proper driving*. Every neglect is condemned, i.e. *in leaving the cattle exposed* to dogs and thieves, i.e. to leave them outside without a guard. Every keeping is right, i.e. a herdsman should guard them outside both by day and night. Every necessity is blameless; i.e. all this is exempt from the five 'seds,' and they go for the original debt generally except only where there is original disease; i.e. original disease, or the act of God, in which case, however, they do not go in the original debt, but another distress shall be taken for the debt. Every improvement is lawful, i.e. a lawful 'manner'-pound within in the night, or good grass in the day. Every inadvertency is venial, i.e. I deem the inadvertency pardonable, though one of the animals may attack the other during proper driving or in the lawful 'manner'-pound, i.e. though they should be injured in the 'manner'-pound. *Every wilful neglect is wrong*, i.e. not to have a watch within, if the 'dun'-fort be not strong. For fines are sought for every illegality, &c., i.e. full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine are due for it to the defendant, and *the beasts* themselves go for the original debt to the plaintiff, i.e. whatever of them is thus destroyed without necessity involves the liability of restitution.

If *the distress* be left outside without a guard, or if it be not secured within if the 'dun'-fort be not strong, there is incurred the liability of restitution if it be killed, and five 'seds' besides. If it is not lost it (*the penalty*) is five 'seds' only. Whatever part of the distress is lost *by neglect* there is honor-price and 'dire'-fine due for it to

the plaintiff. Whatever part is not lost there is honor-price and 'dire'-fine *due* for it to the original owner, and restitution only to the plaintiff, and honor-price to the owner of the green in either case. DISTRESS.
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If the distress has been killed by the act of God before the time of forfeiture, or if the legs have been broken by the animals themselves during the proper driving or in the lawful 'mainner'-pound, whether the debtor has or has not at once submitted to the law, it shall go to liquidate the debt due to the plaintiff.

If it was in the time of forfeiture that these things occurred to them they (*the animals*) shall go for the fine of forfeiture and the original debt shall be paid.

If it was an animal of themselves that attacked another during the proper driving or in the lawful 'mainner'-pound, or if it was an undoubted original disease *that killed them* before the period of forfeiture, and the debtor had submitted to law at once, their flesh *is given* to the defendant, and the debts *due shall be paid* to the plaintiff.

If the debtor has not submitted to the law at once, the value of five 'seds' of the flesh shall become forfeited every natural day, and the original debt shall be paid to the plaintiff.

If these accidents occur to them during the time of forfeiture, they (*the animals*) shall go for the fines of forfeiture, and the original debt shall be paid to the plaintiff, except in the case of undoubted original disease during the time of forfeiture, for if it was a decided original disease *that carried them off* during the time of forfeiture, their beef *is given* to the defendant, and the *original debt is paid by him* to the plaintiff, besides the fine for forfeiture.¹

If it was an uncertain disease *that killed them* and the debtor submitted to the law at once, half their beef *shall be given* to the defendant, and half the debt to the plaintiff. If the debtor has not submitted to the law at once, the value of five 'seds' of half the flesh shall be forfeited every natural day, and half the debt shall be paid by him.

If it was an uncertain disease *that killed them* after the time of forfeiture, half their flesh *shall be given* to the defendant, and the whole of the original *debt* and half the fine for forfeiture.

If their legs were broken by themselves during furious driving, or in an unlawful 'mainner'-pound, or in the intermixture of various cattle; or if it be *a case of* neglect of guarding, or of theft before the time of forfeiture, there are five 'seds' *due* to the kinsman-surety for

DISTRESS. inbleoguin in caó ní díb rin, ocuṛ feoit a comaicintá; ocuṛ
 — laín díre ocuṛ leṛ díre ocuṛ tṛian díre ír in taitur.

Nocha nṛuíl ní do cinuṛ ír ná heṛnuílíḃ rin áṛt áṛṡín, cinnoṛá in taitur, uair maó eiríḃe, átaít cuic feoit do cinuṛch ann, ocuṛ laín díre ocuṛ leṛ díre ocuṛ tṛian díre; ocuṛ inunn rin ocuṛ maṛa míl díḃ feín ro fuaṛṛnuirḃ re ceile ír in luáṛ imáin, ír ṛann de do uul re laṛ ar ṛṡaṛ áṛṡína, uair naṛ e péín ír feṛ laíme, ocuṛ icuirḃ re feṛṛmaó im duíne, ceirṛe cuiceḃ i mbuín, ocuṛ leṛ im eaṛ.

Maṛ é in fechem toicheḃa ro imeṛ taitur foṛṛu ṛia naimṛir ḃoḃṛá, ír ṛiach ṡaíṛi ṛair don biuḃuirḃ, ocuṛ a feṛ don fechemuín toicheḃa.

Maṛa neṛ eile ro imir taitur foṛṛu ṛia naimṛir ḃoḃṛá, enecḃunn don fechemuín toicheḃa, ocuṛ díre ocuṛ enecḃunn don biuḃuirḃ, ocuṛ a feṛ ó biuḃuirḃ do fechemuín toicheḃa.

Maṛa neaṛ eile ro imeṛ taitur foṛṛu i naimṛir ḃoḃṛá, a imḃenuín don biuḃuirḃ ná feoit no leṛṛeaḃ ilḃuirḃ .ḃ. áṛt maṛ íaṛ taḃḃa ann ná feoit no leṛṛeḃṛum amuṡa no a ḃuirḃ, ír enecḃunn ocuṛ díre ocuṛ áṛṡín do fechemuín toicheḃa, ocuṛ ní ṛuíl ní do biuḃuirḃ.

Maṛa íaṛ taḃḃa ann ná feoit ná deaṛur i ḃuirḃ, ír enecḃunn do fechemuín toicheḃa, ocuṛ díre ocuṛ áṛṡín do biuḃuirḃ, ocuṛ a feṛ on biuḃuirḃ do fechemuín toicheḃa.

Maó ro ṛuít ní do ná ṛeṛuíb ar maíṛín ír in maínnir íar ná maṛbaḃ i naimṛir ḃoḃṛá, ocuṛ ní deṛuirḃ in áṛṡabaíl i ḃuirḃ uile, ocuṛ do cuair ní ói; áṛt ma ro menmnuíṡ in fechem toicheḃa ní aṛuṛṛe don áṛṡabaíl do uul i ḃuirḃ do, áṛt maṛ do ná ṛeṛuíb ír leṛ in fechemuín toicheḃa ro maṛbaḃ ní anḃ, ír cṛanncuṛ eṛuṛuḃ cu feṛṛur in míl díḃ do ṛunne in foṡuíl; ír a uul ina leṛ. Maṛ leṛ in biuḃuirḃ ír ic do re fechemuín toicheḃa.

Cantain eile.

Maṛ uiríche de ro maṛbuṛtur in áṛṡabaíl ṛia naimṛir ḃoḃṛá, no maṛa naḃenuṛ ro muirḃurur a coṛa ina ceṛṛ imáin,

every one of these cases, and 'seds' of the same nature ; and there is full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine *due* for the theft. DISTRESS.
—

There is nothing due to the debtor in these cases but restitution, except for theft, for if it be this, there are five 'seds' *due* to the debtor for it, besides full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine ; and this is the same as the case in which an animal of themselves has attacked another during the furious driving, a part of it falls to the ground by way of restitution, because he himself is not the inflictor of the injury with his own hand,^a and he shall ^a Ir. *Man* pay the six-sevenths *of the distress* for a man, the four-fifths for a *of the hand.* cow, and one-half for a horse.

If it was the plaintiff that stole them before the time of forfeiture, fine for theft shall be due of him to the defendant, and the plaintiff *shall be paid* the debts due to him.

If it was another person that stole them before the time of forfeiture, honor-price *is due* to the plaintiff, and 'dire'-fine and honor-price to the defendant, and the debt *shall be paid* by the defendant to the plaintiff.

If it was another person that stole them after the time of forfeiture has set in, the defendant is to prove such 'seds' of them as he would have allowed to be forfeited, and if it were such 'seds' as he would have allowed to be lost or to become forfeited that were taken, the plaintiff shall have honor-price, 'dire'-fine, and restitution, and the defendant shall have nothing.

If it was the 'seds' that had not become forfeited that were taken *in the theft*, the plaintiff shall have honor-price, and the defendant shall have 'dire'-fine and restitution, and the debt *shall be paid* by the defendant to the plaintiff.

If one of the 'seds' be found killed on the next morning in the 'mainner'-pound in the time of forfeiture, and all the distress had not become forfeited, but some of it had ; if the plaintiff has observed that a particular portion of the distress had become forfeited to him, and if *it is suspected that* one of the 'seds' belonging to him *thus by forfeiture* has killed any beast, lots are to be cast between them to know if it was one of them that has done the injury ; it *(the beast on which the lot falls)* goes for its crime. If *it has fallen on a* beast belonging to the defendant he shall pay for it to the plaintiff.

Another version :—

If it is the act of God that has killed the distress before the time of forfeiture, or if the legs *of the cattle taken in distress* were broken

DISTRESS. no ina mainnir dligtiḡ; ocyr tainic biobuirḡ ne dliged fo cetoir, ir a noul ar ron a riach do fechemuin toicheḡa.

Mar i naimfir lobḡa tancutur na hepnuille rin riu, no cīḡ rīa naimfir lobḡa, muna tainic biobuirḡ ne dliged cu tainic rīa naimfir lobḡa, ir a noul ar ron a riad lobḡa, ocyr bunuḡ riad do ic ne fechemuin toicheḡa. No dono, mar i naimfir lobḡa tancutur na hepnuille reo riu, cin cu tainic biobuirḡ ne dliged co tainic iar naimfir lobḡa, ir i noul ar ron a riach amuil tet in gēall ocyr oiriche de ḡa tarriadtuin.

Marā galur bunuḡ ro marburtur in adgabail rīa naimfir lobḡa, no marā mil oib fein ro fīadtnuig ne ceile ina cert imain no ina mainnir dligtiḡ, ocyr tainic biobuirḡ ne dliged fo cetoir, ir a marc do biobuirḡ, ocyr a fed do fechemuin toicheḡa.

Mar iar naimfir lobḡa tancutur na hepnuille reo riu, cinmoḡa in galur bunuḡ, no cīḡ ne naimfir lobḡa tancutur riu, muna tainic biobuirḡ ne dliged cu tainic iar naimfir lobḡa, ir a noul ar ron a riad lobḡa, ocyr loḡ cuic fet do marcuib do uil a lobad ar cad laite aicinta, ocyr a bunuḡ riad oic ne fechemuin toicheḡa.

Marā galur bunuḡ ro marburtur in adgabail rīa noul a lobad, a marc do biobuirḡ ocyr a fed .i. a bunuḡ riad, uad do fechemuin toicheḡa, ocyr a riad lobḡa.

Marā galur cuntaburtuḡ ro marb in adgabail rīa naimfir lobḡa, ocyr tainic biobuirḡ ne dliged fo cetoir, ir let a marc do biobuirḡ, ocyr let a riad do fechemuin toicheḡa.

Mar rīa naimfir lobḡa tainic riu, ocyr nī tainic biobuirḡ ne dliged co tainic iar naimfir lobḡa, ir a noulrām ar ron a riach lobḡa, ocyr a bunuḡ riach oic nef in fechemuin toicheḡa, ocyr loḡ cuic fet do leth na marc do uil a lobuḡ ar gād laithe aicinta.

Mar iar naimfir lobḡa tainic in galur cuntaburtuḡ nef in adgabail, a bunuḡ riach uile oic nefin fechemuin toicheḡa, ocyr let a riach lobḡa.

during proper driving of *them*, or in the lawful 'mainner'-pound, and the defendant has submitted to law at once, they (*the injured cattle*) shall go for the debt to the plaintiff. DISTRESS. —

Even if these accidents occurred to them in the time of forfeiture, or though *they occurred* before the time of forfeiture, unless the defendant had submitted to law before the time of forfeiture had arrived, they shall go for the debt of forfeiture, and the original debt shall be paid to the plaintiff. Or indeed, if these casualties occurred to them in the time of forfeiture, and the defendant did not submit to law until after the arrival of the time of forfeiture, they shall go in *discharge* of the debt just as the pledge goeth which is overtaken by the act of God.

If an original disease has killed the *cattle taken in* distress before the time of forfeiture, or if one of themselves has attacked the other during proper driving or in the lawful 'mainner'-pound, and that the defendant had submitted to the law at once, the beef is *given* to the defendant, and the debt *paid* to the plaintiff.

If *any* of these accidents occurred to them after the time of forfeiture, with the exception of the original disease, or though they may have occurred to them before the time of forfeiture, if the defendant had not submitted to law till after the time of forfeiture, they shall go in *discharge* of the debt for forfeiture, and the value of five 'seds' in beef shall become forfeited every natural day, and the original debt shall be paid to the plaintiff.

If an original disease had killed the *cattle taken in* distress before it became forfeited, the beef *shall be given* to the defendant and he shall pay the debt, i.e. the original debt, and the fine for *allowing* forfeiture to the plaintiff.

If it be an uncertain disease that had killed the *cattle taken in* distress before the time of forfeiture, and the defendant submitted to law at once, half the beef is *given* to the defendant, and half the debt to the plaintiff.

If it (*the disease*) came upon them before the time of forfeiture, and the defendant did not submit to law until after the time of forfeiture, they shall go for the fine of forfeiture, and the original debt shall be paid to the plaintiff, and the value of five 'seds' of half the beef shall become forfeited every natural day.

If it is after the time of forfeiture the uncertain disease has come upon the *cattle taken in* distress, all the original debt due to the plaintiff shall be paid to him, as well as half the fine for *allowing* forfeiture:

DISTRESS. Μαρ in aoenuir po muigriuut a cora ina luath imain, no ina mainnuir innoiligiuis, no mara cumuig nílceatúra, no mar faíl inméoiúeoa; no mara taitiur, cinmoeta lan oire ocuṛ leṛ oire ocuṛ trian oire iṛ in taitiur ría naimriṛ lobṛa, cin cu tainic bíobuioṛ ne oligeo co tainic iar naimriṛ lobṛa, can ní don atgabail o rin amach do uil a lobuioṛ, ocuṛ aitégin commaitṛ tairiuc on pechemuin toicheoṛa, ocuṛ cuic reṛ tinnbleoḡuin in gaṛ ní oib rin, ocuṛ noṛa nṛuil do cinṛach aṛt aitégin imech po loiteoṛ do atgabail, cinmoeta in taitiur; uair ma eirṛe, iṛ cuic reoit ann ciṛ o cinṛuch ciṛ o innbleoḡuin, ocuṛ lain oire, ocuṛ leṛ oire, ocuṛ trian oire, ocuṛ lan einelunn. Ocuṛ iṛ inunn rin ocuṛ mil oib reir do ruactnugaṛ ne ceile ina luat imain, no ina mainnuir innoiligiuis; aṛt rann de do uil ne lar ar rgaṛ aitégina, uair naṛ é réin iṛ reir laime, ocuṛ icuioṛ ré reṛtmuioṛ in ṁuine, ocuṛ ceirṛe cuiceṛ i mboin, ocuṛ leṛ in each.

Ra reiriur reṛt raitṛe rriur in [athgabail] cach cin co reir raitṛe la reime.

Ra reiriur, .i. cu rair a rir agaṛ na reṛt raitṛe reir i mberuṛ in atgabail gabuṛ in in cinuig cu poletunn riachu do reir in réimechur. Cach cin co reir raitṛe, .i. mech oir na raitṛe, ocuṛ aitégin a reoir. Raitṛe na reṛt nḡraṛ tuairṛe, po bíṛ iṛ in raitṛe do beruṛ in atgabail; ocuṛ atait tri roriur in gaṛ raitṛe do na hīb raitṛib rin, amuil iṛ berṛ in leabuṛ rir, .i. raitṛe ainm cach ae.—S. O.

Reaḡuṛ roriur; ní ruil aṛt tri roriur ann; roriur nacra, roriur nṛoitin, roriur mbreiteamun.

Reaḡuṛ roriur, .i. attairgiṛuṛ aruṛ eile ann, .i. treḡe iṛ lia ina reṛt a. Aṛt tri roriur ann, .i. aṛt tri aruṛ aṛo. Roriur nacra, .i. mainner, .i. aruṛ in rir uil ag in acra pechemuin toicheoṛa, .i. rriur i nḡabteṛ atgabala. Roriur nṛoitin, .i. aruṛ in ollamun ruiṛ, .i. dun, .i. i nṛoitnigteṛ na cuic reoit deḡinacha. Roriur mbreiteamun, .i. aruṛ in bṛeiteamun, .i. teḡ in arṛo ollaman.

¹ *Greens.* Vide *Senchus Mor*, vol. i., p. 293.

² *The Feini.* Vide *Senchus Mor*, vol. i., p. 32.

³ *Green.* From this it would appear that every chieftain had an enclosed field or green, attached to which were three enclosures for lodging the cattle taken as distress. They grazed the field by day, and were sheltered in the houses at night or during inclement weather.

If their feet were broken in driving them furiously, or in an unlawful 'mainner'-pound, or if it be *a case of* intermixture of various cattle, or neglect of guarding; or if theft *has taken place* (except full 'dire'-fine, and half 'dire'-fine, and third 'dire'-fine *be paid* for the theft) before the time of forfeiture, even if the defendant did not submit to the law until after the arrival of the time of forfeiture, no part of the distress shall thenceforth become forfeited, and full restitution shall be made by the plaintiff, and five 'seds' *shall be given* to the kinsman-surety for each of these cases, and the debtor *himself* shall get nothing but restitution for the part of the distress which was destroyed, except for the theft; for if this *has taken place there is a fine of* five 'seds' for it whether the distress had been taken from the debtor or the kinsman-surety, and full 'dire'-fine, and half 'dire'-fine, and third 'dire'-fine, and full honor-price. And the case is similar when one of the animals has hurt another during furious driving, or in an unlawful 'mainner'-pound; except that a part of it falls to the ground by way of restitution, because he himself is not the inflictor of the injury with his own hand,^a and he ^{a Ir. Man of the hand.} shall pay the six-sevenths *of the distress* for a human being, the four-fifths for a cow, and the half for a horse.

Thou shouldst know the seven greens¹ for the distress at which every debt is *demanded until it is paid*, with the grass of the green, according to the Feini.²

Thou shouldst know, i.e. that thou mayest know the seven greens into which is brought the distress which is taken for the debt until it satisfies the debts according to the Feinechus Law. Every debt, with the grass of the green, i.e. the sacks are given to the owner of the green, and compensation for his grass. Each of the seven grades of the laity has *necessarily* a green, because it is into a green *of those* the distress is carried; and there are three enclosures in each green³ of these, as the book states below, i.e. a green is the name of each.—S.D.

Let the 'forus'-pounds be considered; there are but three 'forus'-pounds—the 'forus'-pound for pleading, the 'forus'-pound for protecting, the 'forus'-pound of the brehon.

Let the 'forus'-pounds be considered, i.e. other habitations are recognised, i.e. three besides the seven. But three 'forus'-pounds, i.e. but three habitations. The 'forus'-pound for pleading, i.e. a 'mainner'-pound, i.e. the habitation belonging to the man who is suing for the plaintiff, i.e. by whom distress is taken. The 'forus'-pound for protecting, i.e. the habitation belonging to the chief poet, i.e. the 'dun'-fort, i.e. in which the last five 'seds' *remaining unforfeited of the distress* are protected. The 'forus'-pound of the brehon, i.e. the habitation belonging to the brehon, i.e. the house of the chief Ollamh.

DISTRESS.

Ḑriṭur a paitcib fir fuigill. In graid cingtur cach
 17 é lin meo mias mefeamnuigter [ina] paitce.

Ḑriṭur a paitcib, .i. firneuiṭer fuigill uime ona réinib. Óra paitce
 toimuiṭe miasch cach aipeacaf ardu. In graid, .i. iped fílaí in paitce
 inṭuir, .i. do niteir ní do fecheamnuir ocuf do breitheamnuir ann, .i. fir
 breitheamnaet fuirre.

C. 2703. 17ed in cetna forur in paitce, in tanuirte in dun, a tpeaf
 in teach, .i. in timuo do graiduib deimniṭur 15 gabail na
 haṭgabail, .i. do forlu triar do ceafuir, curub é in timuo
 rin donuuib i curtur [in mias] meifeimnuigter aige na paitce
 fir hupnuigfe aṭgabail inn.—8.ḑ. .i. no in lin do graiduib i
 ceimniṭur cach dib ro, 17 e a lin donuuib i curtur in miasch
 mefeamnuigter do bet ina paitce oc upnuigfe aṭgabail. Inao
 meo oc in ogairiṭ, ocuf inao feot mias ag in aipe forigill. Tir
 cumuile og na ogairacuib ocuf tir cumuile d' imarcurd ag
 gaṭ graid o ta rin co riṭ tuaithe; ocuf tir feot cumuile aige réṭ
 a feor, ocuf eṭ gaṭ graid feota 17 aipe inár fir hupnuigfe
 aṭgabail i meo na paitce per i mberur aṭgabail inbleogun.

Paitce inṭuir in uithir.

C. 2704. .1. Dorlan .i. do galur, ocuf cuic feot uad munub ramliud
 ro ber in leth berur in aṭgabail, .i. paitce ina inṭuir in mil
 bir i nnoe uithir, in galur, don mil fílan [aṭgabail inbleogun
 ocuf do mil eflan aṭgabail cinaiṭ.]

Mintipe; cominnuill tuaithe; tealluigiṭ feanaire
 cinmotha nua neime ro nuairliṭur feine.

Mintipe, .i. curub tir eith. - .1. narub coirich, .i. curub inneall é
 17 in tuat meosun na tuaithe, no ar na bet roṭlaoa no cennaiṭ. Teal-

¹ *Green of separation*, i.e. fit to separate the sound cattle from the unsound.

² *'Tir cumhaille.'* This represents a portion of land, the exact extent of which
 is not here explained. From O'D. 144. it would appear to have been 576 yards
 long and 288 yards broad.

³ *Septenary grades.* Vide *Senchus Mor*, vol. i., p. 96 (u).

It is brought into the greens of the man of judgment. The *number of* grades that each person advances entitles him to a similar number of sacks for his green. DISTRESS.

It is brought into the greens, i.e. just judgment is passed concerning it by the Feini. For his green, each ascending grade increases by one sack. The grades, i.e. it is he that owns the green of separation,¹ i.e. some of the pleading and of the passing of judgment is done there, i.e. to pass judgment upon it.

The first 'forus'-pound is the green, the second the 'dun'-fort, the third the house, i.e. the number of grades which advances for taking the distress, i.e. three carry it out to four, the same is the number of places in which are put *the sacks* which are adjudged that he should have for his green to detain the distress therein—*S.B.*, i.e. or the number of grades which each of these advances over the same is the number of places in which is put the sack which is adjudged to be due to him for his green for detaining a distress. The 'Og-aire'-chief has the place of one sack, and the 'Aire-forgill'-chief has the place of seven sacks. The 'Og-aire'-chiefs possess a 'tir-cumhaile'² *of land*, and every grade from that up to the king of a territory has respectively a 'tir-cumhaile' *of land* in excess over each preceding one; and he possesses seven 'tir-cumhailes' *of land*, as does every one of the Septenary grades³ of higher dignity than he, to detain distress by the size of the green into which the distress of the kinsman-surety is brought.

A green of separation for the sick.

A green in which the sound cattle can be separated, i.e. from the unsound, i.e. from the diseased, and he (*the plaintiff*) shall pay a *fine of five 'seds'* unless the place to which the distress is brought is so, i.e. a green in which may be separated the beast which is in the middle of disease, i.e. sickness, from the healthy beast of the distress of the kinsman-surety or the sick beast of the distress of the debtor.

A level land; a central territory; the possessions of ancestors, excepting new dignitaries ennobled by the Feini.

A level land, i.e. it should be arable land. A central territory, i.e. that it be not on the border, i.e. that it be central in the territory, in the middle of the



DISTRESS. Luigib feanaítre, .i. curub teallach átur no feanaítar, ocur narub tiri dúbuid. Cinmotha nua neime, .i. ní ocur fíle teacmuig oc neoé na bi gnaé. In eime nua cin cub tiri átar no feanaítar; no cinmotha iní nua do beir for uairliuga ar, meime bir ege ina faíte. Tiri noibuid in doer céle no fearunn ceannuig, uair noch a dleáir in átgabail do bheir inntibíróe, .i. no ma for tiri eile.

Sic.

Íreo dleáir mintire, ocur cominnell tuaithe, ocur teallach feanaítre, ocur rinn peoir, ocur farc fírlíet, ocur farc in tream bheirir, ocur farc cin anad etir dātgabail inbleoguin; ocur cuic reoir inbleoguin i fechmullad caé nech díb, ocur noch a nruil ní do chintuē.

Íreo ír farc fírlíet ann, a bheir inunn in conuir taccad amach in átgabail, ocur ír ann áta rmaét ar in fechemuin toichea in tan tainic inbleoguin fecha do fuarluad a átgabala; ocur muna tainig, noch a nictur ní rir cin co farc fírlíet a no cin cu farc in tream bheirir, .i. curub i tream bheirir a dera éall raxul na haégbala, no cuma iat tiri bheirir farc cin forur fechemun.

Nach coimdeó beir mo loḡ nech adḡair rri hinbleoguin.

Nach coimdeó, .i. ní cumann, no na trialla, .i. aḡin a ríad nama, no ír aḡina cona riabul. Adḡair rri hinbleoguin, .i. na camaimrídeḡ no na cotaimrídeó ní ír mo na loḡ inéich aḡa mbia rē aḡa for cintuē do gabail in átgabail do inbleoguin, ocur gubuid a lētgabail riabul a nátgabail aile de, .i. na comaimrídeó do gabail inbleoguin ní ír mo na loḡ iné do aicepuó ar cintach, .i. ma luga in cin, .i. aḡin iné no dleét do cintach iar neló íreo gabur do rine cintuig, ceart aḡina imurro don ríat iné ponar ríirre, cia no eloir in biudubuid in fechum nāle, .i. cíó rri ríate neé eile.

ḡair do riabul ar rir cinuid, arur riabul rri helo. Ní aḡair naé cintach acht do ríat loḡ riach adroillitir; ír de áta, do buing aḡru eirce.

ḡair do riabul, .i. gabur aoen átgabail inin aḡin cuna riabul don rir do rinne in cinuig, iar neló, uair riabul cintuig ír i átgabail

¹ Notice along the track. For the different kinds of notice, vid. 'Senchus Mor,' vol. i., pp. 105, 269, 289, 303.

territory, or where there are no robbers or buyers. Possessions of ancestors, i.e. that it be the possession of a father or grandfather, and not a land left as a legacy. Except new dignitaries, i.e. a king and a poet that one happens to have whom he has not had always. The new dignitary is *excepted*, although he does not *inherit* the land of his father or grandfather; or except the new thing which ennoble the dignitary, i.e. cattle which he has in his green. But not so the legacy land of the 'daer'-stock tenant, or purchased land, for it is not lawful to bring the distress into these, i.e. or if upon other land.

DISTRESS.

The distress of the kinsman-surety is entitled to level land, a central territory, the possession of ancestors, good grass, notice along the track,¹ notice by the third word, and notice without stay; and there is a *fine* of five 'seds' to the kinsman-surety for the neglect of any of these, but nothing to the debtor.

Notice along the track means to bring the notice over by the same way along which the distress had been brought out, and the plaintiff shall be subject to 'smacht'-fine when the kinsman-surety had passed him by to redeem his distress, *without meeting him face to face*; and if he has not, nothing shall be paid to him, though it be not a notice by the track or a notice of the third word, i.e. that it be the third word he shall say within (*at the defendant's house*) that the distress was taken, or that they be the three words of the notice at the residence of the party to the suit.

No one can seize more than the value of the thing he seeks from the kinsman-surety.

No one can seize, i.e. he is not capable, or let him not try, i.e. restitution of the debts only, or restitution with its double. He seeks from the kinsman-surety, i.e. let him not proceed to take in distress from the kinsman-surety more than the value of the thing which he demands from the debtor, but he shall take the double half-seizure in another distress, i.e. let him not attempt to take from the kinsman-surety a thing of greater value than that which he claims from the debtor, i.e. if the debt be smaller, i.e. restitution of the thing which was due from the debtor is obtained from the tribe of the debtor after his evading, just restitution is to be made by the surety for the thing for which he went security, even though the defendant has absconded from the other party, i.e. though it be to the green of another person.

He takes it with double from the debtor, for there is double for absconding. The debtor is not sued except for the amount of fines which he has incurred; hence is derived *the maxim*, "suit exacts 'eric'-fine."

He takes it with double, i.e. one distress is taken for the restitution with its double from the man who owed the debt, after his evading, for the double of the

DISTRESS. inbleoguin briatuir no gellaó. Ní aghair naé cintuch, .i. noéa nacairtuir naé cin ar cintuá aét cu roith ar inbleoguin. Loigiseét na riáé no hairielltuigeó do vleitín do cintuch. O icfuir inbleoguin iat, cemuo aíl a nacru for cintuch ar ahaítele nocha nicunn, .i. raithe; no naé cin for inbleoguin aét in rogealtuá ocuf in tarc ocuf in tain. Do buing aghru epice, .i. do buing epic cintuig aghru inbleoguin, no toib-giétuir epic oit ran acru borluéuir, .i. oia nacru ní ir mo ina aetgin icfuio riacha inn, no dono toibgeó aghru inbleoguin in epic no vleét do cintuch, no ní acuir in fechiuín for in cintuch in aétgin, uair do buing inbleoguin.

Seagair athgabail inbleoguin i raithe nairiuch forgill, no ollamun filid, no breiteamun airo.

Seagair athgabail, .i. áttairgiétuir átgabail in inbleoguin a raithe an aipeáé forgill, na cuic feoit deginucha búr ann cin lobuó, ocuf muna be aét cuic feoit ann uile, ir a breit ré foruir no ré raithe cu ti amuir lobéa (.i. combi ann co fearcar), ocuf a breit a raithe ariuó forgill gurub inni lobuó, .i. o tic co oitín iar tocaitiuín a ré ir in raithe ber coir ar torach .i. tiasuit na cuic feoit deginucha i lobuó oi. Ní breiteamun airo, .i. ite beora breit fuiriu.

Árpeaduir in dicinn dithma on tatma co riále fú inhrucur in inbleoguin, ariur inhruc gach inbleoguin.

Árpeaduir, .i. áttairgiétuir na cuic feoit deginucha in ariur oib rin co ti uide adbul cinnuó a oitma no a éotma, .i. aoen ocuf tpeiri, 7rl. Fú inhrucur, .i. ar fú inhrucur fú inbleoguin, .i. o éoroétar an boái corai annuíl beti a uide, .i. aoin ocuf tpeiri. Áriur inhruc, .i. ar ai a denhá do uoin, ce gabéuir átgabail de uime ir ime ir coir gac vligéó adubrumuir romuinn do denum inn in átgabail, .i. ir in raithe noeginuig fú tiáétuin éintuig ré vligéó; ocuf oia ti, tet i nairiuch aet-gina do cuic feoit na hoirde rin; muna ti on tpeá co riále ní téit, .i. in hruc fechiu tocheoá lair oá foruir buóein; má no dithmurtuir oca co riúce cuic feoit, beruir na cuic feoit rin fú raithe oib fo oia taíba fú riáónuib cu ngebuo a riárlacuó oia tirta do éabuirit vligéó do; ocuf muna ti, ní cumuig cina ní oitmuó don átgabail do tabuirit a gcorpuib riáé, ocuf gac ní na oitmun do neahtabuirit.

Sic.

¹ *No debt.* In the margin of the MS. the following Gloss occurs, “no naé cin, .i. buoen, aét rogeit, .i. aétgin gabala do inbleoguin raithe” (or any debt, i.e. the debt itself, but expense of feeding, i.e. restitution of the seizure to the kinsman surety).

Part. This part was equal to his own honor-price.

debtor is the distress of the kinsman-surety who guarantees or gives his word or promise. The debtor is not sued, i.e. no debt¹ is claimed of a debtor if it has been demanded of the kinsman-surety. The amount of the fines incurred is due by the debtor. When the kinsman-surety pays them, though he (*the plaintiff*) should wish to demand them of the debtor afterwards, he, i.e. the surety, cannot, i.e. or no debt is *due* from the kinsman-surety, except *the expenses for feeding, notice, and driving*. Suit exacts 'eric'-fine, i.e. the suing of the kinsman-surety exacts 'eric'-fine from the debtor, or 'eric'-fine is exacted from thee for false suing, i.e. if thou seek more than restitution thou shalt pay fines for it, or the suing of the kinsman-surety exacts the 'eric'-fine due of the debtor, or the plaintiff does not sue the debtor for the restitution, because he had taken it from the kinsman-surety.

DISTRESS.

The distress of the kinsman-surety is brought into the green of an 'Aire-forgill'-chief, or of an 'Ollamh'-poet, or of a high judge.

The distress is brought: The distress of the kinsman-surety is brought into the green of the 'Aire-forgill'-chief, i.e. the five last 'seds' which remain of *the distress* without being forfeited, and if there be but five 'seds' in it (*the distress*) altogether, they are to be brought to an enclosure or to a green to be *detained there* until the period of forfeiture arrives, (they remain there until the evening,) and are *then* removed to the green of the 'Aire-forgill'-chief, where it (*the distress*) becomes forfeited, i.e. when it comes to delay in pound after spending the *proper* time in the proper green at first, i.e. the five last 'seds' of it become forfeited. Or of a high judge, i.e. it is he that will pass judgment upon it.

What remains unforfeited of *the distress* from one period of forfeiture to another may be carried to a 'forus'-pound through consideration for the kinsman-surety, for every kinsman-surety is entitled to consideration.

May be carried, i.e. the five last 'seds' may be brought to one of these habitations until the period of the determination of its total forfeiture or failing has arrived, i.e. one day, and three days, &c. Through consideration for, i.e. for observing fairness to the kinsman-surety, i.e. to allow him additional time on account of his liability, i.e. one day and three days. Is entitled to consideration, i.e. for the sake of proof by himself, for though distress is taken from him *for his guarantee* it is right to observe *for him* every law which we have mentioned before respecting the distress, i.e. in the last green for the debtor's submitting to law; and if he does *submit*, the five 'seds' of that night shall go into his account for restitution; if he does not within twenty-four hours, it shall not, i.e. that part² of *the distress* which the plaintiff carried with him to his own enclosure; if it lessens *by forfeiture*, while in his keeping, down to five 'seds,' these five 'seds' shall be removed to one of these greens, to show before witnesses that he would accept of a ransom, should they come to offer him law; but if they do not come, he cannot but let the part of the distress which has been forfeited pass as part payment for the original debt, and the part which is not forfeited is not so to pass.

The distress of the debtor is forfeited in the green DISTRESS.
where it is kept until its forfeiture is determined, for
the same strictness as to seizure, or notice, or 'forus'-
pound, or grazing, is not due in the case of the
distress of the debtor *as in that of the kinsman*, but
proper proof before worthy witnesses *is required*.

The distress is forfeited, i.e. the distress is forfeited from the man who incurred the debt in the green into which it is brought, i.e. *on the way* without fodder or food into the green of the plaintiff, i.e. without bringing it elsewhere, i.e. without notice, without an enclosure, without feeding. Is not due, i.e. *the following conditions are not required*, three carrying it out to four persons, i.e. *notice* along the track, or of the third word, or two persons for witness. 'Forus'-pound, i.e. one of the seven 'forus'-pounds, or without the intermixture of various cattle, i.e. though the 'cumunn'-grass be withered, i.e. though it be 'bunuch'-grass, i.e. good grass, i.e. for every debtor for the quick or lawful seizure, for a person is not obliged to have any other along with him in taking the distress of the debtor if he knows how to take it himself, and he may carry it all into his own 'forus'-pound at first, whether the distress be small or large, and detain it there during the period of delay in pound and the period of forfeiture, until it is all forfeited.

It is true that no one is exempt from his own liability on account of his dignity, or 'saire'-privileges,¹ or protection, or service, or support, or refection, or sheltering of dignitaries or nobles; but just proof on oath before witnesses *is required*, except as regards the delay of the distress according to the 'saire'-exemption of all to whom it is given, except exemptions of necessity, which extend the periods of stay properly in the rules of the Feini by true judgment according to conscience and nature. That is, his dignity or nobility will never protect a man from being distrained, but it will protect him during the period of the 'saire'-exemption, if the plaintiff cede law to the person whose 'saire'-privileges are upon the defendant. Afterwards the 'saire'-exemption came in this case, which is the reason that it does not protect, but it extends, however, its stay, even though the protection came afterwards.

The amount of honor-price of the distress of the kinsman is set ^a Ir. *Let*
free,^a and five 'seds' *besides*. *into the*
wood.

This is after knowledge of the 'saire'-exemption, and if without knowledge of the 'saire'-exemption, it is the amount of honor-price only of the distress of the kinsman that is set free,^b and that which ^b Ir. *Let*
is for honor-price should have the natural stay of the 'seds.' *into the*
wood.

DISTRESS. Ocur aóeir leabair ní fuil raoire for ní dia realbairt air.

Loḡ enec umorpo, daṡgabail cirta for ana na raoire iar fir, ocur cuic reoit ; ocur ma ḡin fir raoire, ir loḡ enec nama for ana na raire ocur a fuil for loḡ enec ann for ana aigintā an reoit buoin.

Loḡ enec do ḡrer ro caoill daṡgabail cirta ocur inbleogain, aṡ ḡo fertar raire fair ; ocur a mbia for loḡenec ann for ana na raire la taob ana aigintā na reot. Ocur mana fertar raire fair, ir ana nama potaigir.

Arail oib ro ir ara nemtrenchur fein, arail aile ir ar nemtrenchur an tí aḡa mbia, ocur ir inann, umorpo, a rmaṡa, .i. cuic éreoir.]

Fir poeruma ; porerpuigtur raire ; lan raire caich dia aṡuir, maṡ uairle in macc.

Fir poeruma, .i. ir fir lium cura maṡ firpreṡnuigtur in traire ro uairliatuiḡ fir in poermu, .i. in fir porragunn cutruma na raiinne buir do poerum ar rḡaṡ a biṡ, ir a cutruma uile ar rḡaṡ roṡnaṡma ; aṡ muna be tairer in lanbiaṡa, leṡ inurpo ar a rḡaṡ riṡe. Lan raire caich dia aṡuir, .i. a lanbiaṡaṡ, ocur a lanpoerum, ocur a lan tam, ocur a leṡeneṡlunn, ocur ir ar airmoir in mic do berur. Maṡ uairle in macc, .i. ir ann ata poerum traḡbail don aṡair ar a buaigur.

In lanāṡ poermu uil don caṡ ir a mac a buaigur a lanbiaṡa buoin cu ponarom curuib eaṡ ber don caṡ ir a haṡer a buaigur a lanbiaṡa uoin co ponarom. Ar ercuirpur don aṡuir rin cu

¹ *And a book.* The Irish of this sentence is found on the upper margin of the right hand column of p. 36 of the original MS., viz., Egerton 88, in the British Museum.

² *True protection.* It is stated in Egerton 88, 36 a, b, C. 2444, that every one is entitled to protection, food, and attendance according to his dignity, and it is added : "one day of food and protection to the 'fer midhbaidh,' two days to the 'og-aire' chief, three days to the 'bo-aire' chief, five days to the 'aire-desa' chief, ten days to the 'aire-tuisi' chief, fifteen days to the 'aire-ard' chief, twenty days to the 'aire-forgaill' chief, a month to the king of law."

³ *Free-quarters.* See note on page 18, *supra*.

⁴ *Protection.* poerum. This is defined in C. 1386, to be protection after leaving the house, the protection in the house being called 'comairee.'

⁵ *Condimint.* Ponarom, i.e. obsonium, lanbiaṡaṡ co ponarom, (full food with ponarom) is explained in C. 1278 ; full food with ale or fleshmeat or both ; ponarom there is the same as the Latin *obsonium*. It is written pornarom in H. 3, 17, col. 128-9,

And a book¹ says there is no 'saire'-exemption upon any of his (*the kinsman's*) possessions at all. DISTRESS.

But honor-price of the distress of the debtor shall have the stay *allowed in the case* of the 'saire'-exemption after knowledge, and five 'seds' *besides*; and if without knowledge of the 'saire'-exemption, it is honor-price alone upon the stay of the 'saire'-exemption, and whatever is for honor-price in the case is upon the natural stay of the 'sed' itself.

Honor-price of the distress of the debtor and the kinsman-surety is always set free, but so as it is known that there is a 'saire'-exemption upon it; and what shall be for honor-price shall have the stay of the 'saire'-exemption besides the natural stay of the 'seds.' And if it be not known that there is 'saire'-exemption upon it, it is the stay alone that it extends.

Some of these 'seds' are treated according to their own dignity, others according to the dignity of the person who has them, and their 'smacht'-fines are equal, i.e. five 'seds.'

True protection:² free-quarters³ are graduated; the full free-quarters of every son *are given* to his father, if the son be nobler.

True protection, i.e. I hold it true that the free-quarters are well graduated according to the nobleness of the protector, i.e. of a man who relinquishes a part of the share of protection in lieu of his food, and the entire of it for the sake of condiment; but if full food is not offered, it is half protection that shall be in lieu of it. The full free-quarters of every son to his father, i.e. his full food and full protection and his full party (*his suite*), and half his honor-price, and it is out of respect for the son these are given. If the son be nobler, i.e. it is then protection is obtained for the father in right of him.

The full protection⁴ which every son enjoys in right of his own full food with condiment⁵ is *allowed* to the father in right of his own full food⁶ with condiment. This is an exception to the father, in

⁶ *Full food.* The 'biathadh' was the bread or food which any person received on his travels, or coshering visitations; 'fonaidhm,' or 'fosnaidhm,' which is probably cognate with the Latin *obsonium*, was all fleshmeat or anything else used as condiment, 'annlann,' or kitchen, along with the bread. Besides food and *obsonium* he was also entitled to sanctuary, or 'comairce,' while in the house, and to 'foesamh' or personal protection, after leaving the house. This protection might be diminished or increased by relinquishing any portion of the food or *obsonium*, or claiming more. In this way one might eat or drink out all his protection. The protection was valued at the same amount as the food and condiment. If he ate and drank nothing he had full protection as long as he remained in the house, and until he arrived safe at the next house, in which he was entitled to similar maintenance and asylum, and life-guard.

DISTRESS muo mouite do zebuð re biað, cin cu beð aét leð biaðu a mic
 do, cumbeð lan poermu in mic do pagbail ar a rgað; no in lanuð
 poermu uil don cað ir a mac a dualgur a lainbiaða uðein co
 ponairm no a leithbiaða uðein co ponairm, cuiruib eð ber don
 cað ir a haðuir a dualgur a lainbiaða buðen co ponairm, uair
 ir inunn lainbiaðu in aðuir ocuð leðbiaðu in mic o buð a
 dualgur in mic ber einuclunn do.

‘Da trian faine caih dia maithir i nama gaire.

.1. da trian a biaða cu ponairm tuðuð oi, ocuð leð einuclunn,
 .i. no oitruite in maithir ina in taithir, ocuð da trian poermu
 in mic pagbur; .i. in cuiruma ata for rgað da trian biaða in
 mic ipeð ata ar rgað a trian [no a da trian] biaða re co ponairm,
 uair ir e da trian in leðe trian in lan, .i. da trian in poermu
 uil don caih ir mac a dualgur a lainbiaða uðein cu ponairm
 ipeð uil don caih ir maithir a dualgur a lainbiaða uðein co
 ponairm. Ar epcaptuð don maithir for cin cu beð aét leð einu-
 clunn in mic oi, da trian poerina do pagbail oi cumuð móite
 rogabuð biað. No dono da trian in poermu uil don caih ir mac a
 dualgur da trian a lainbiaða cin ponairm ipeð uil don caih ir
 maithir a dualgur da trian a lainbiaða uðen co ponairm, uair
 inunn da trian a lan poermu co ponairm, ocuð da trian in leð
 poermu pagbur sum cin ponairm, uair leð einuclunn in mic uil
 don maithir fóf amuil ata don aðuir in tan ir uairle in mac.

C. 2444. [Leat faoise dia prinnnai, ocuð dia mac fhuir bi gaire;
 trian faoise dia mbuime ocuð dia ingin, ocuð dia moza
 manéuime; ceðraime faoise dia mnai inuiraic ocuð dia mac
 faincpon, aét mac ar lui gaire no fo fið, .i. aét an mac
 eloðuð re gaire, uair ipe a lan biaða; uair ceðraime enecianne
 athar uil do mac ingor ocuð don captaiz, ocuð ir ar gabtar

¹ Or his half-food with condiment. The Irish for this is in the margin of the original,

² Honor-price. Suppose the father was a farmer, and the son an archbishop, then the father would rather take his position in society from the respectability of his son than from his own station.

³ Or the two-thirds. The Irish for this is in the margin of the original.

order that he might obtain the more food, because he has but half the food of his son, he can leave the full protection of the son in lieu of it ; or the full protection which every son enjoys in right of his own full food with condiment, or his half food with condiment,¹ shall be *due* to the father in right of his own full food with condiment, for the full food of the father is equal to the half food of the son when it is in right of his son he has honor-price.²

DISTRESS

Two-thirds of the free-quarters of every one *is due* to his mother in the rules as to maintenance *of the old*.

That is, two-thirds of his food is given to her with condiment, and half honor-price, i.e. or the mother has less of land than the father, and she relinquishes two-thirds of the protection of the son, i.e. the proportion which is for the two-thirds of the food of the son is for the one-third or the two-thirds³ of her food with condiment, for two-thirds of the half is equal to one-third of the whole, i.e. two-thirds of the protection which is due to every son in right of his own full food with condiment is what is due to every mother in right of her own full food with condiment. This is also *made* as an exception for the mother, though she has but half the honor-price of her son, she relinquishes two-thirds of his protection that she might get the more food. Or else two thirds of the protection which every son has in right of two-thirds of his full food without condiment is what is due to each mother in right of two-thirds of her own full food with condiment, for the two-thirds of her full protection with condiment, and two-thirds of half protection which he relinquishes without condiment are equal, for the mother also has half the honor-price of the son as well as the father when the son is nobler *than either*.

Half his free-quarters⁴ *is due* to his first wife, and to his son who performs the maintenance ; one-third free-quarters to his foster-mother and to his daughter, and to his working-man ; one-fourth free-quarters to his wife *so long as* worthy, and to his emancipated son,⁵ excepting the son who evades the maintenance or absconds, i.e. excepting the son who absconds from the maintenance *of his father in his old age*, for it is his full food ; for the fourth of the honor-price of the father is *due* to the son who does not support his father, and to the 'carthach'-woman, and from this it is derived i.e. the 'dor-

⁴ Free-quarters. 'Saoire' or 'suire,' i.e. eating, drinking, lodging, protection, &c.

⁵ Emancipated son. The Irish words mean literally, a son who has property of his own.

DISTRESS. ρην, .i. doirmuine; no mac aílui gaire, ceṛuime enecclainne doibridé. No ro ríé, .i. do ni an fuaéctain, .i. an mac ringaláé; ocur no ar duiltad uil ann, uair noá fuil enecclann do a duálṡur átar; ocur noá fuil enecclann na faorann do ara duálṡur. *Sic.* Don mac bir ar fannelo o nathair ḡin a gaire do denam, .i. an mac faorleigi, ocur da cuicrú a lan biaṡa ḡo fonaioim tugad do ann, ocur da cuicrú faorma ro fasad ar a ríad, uair inann da cuicrú an leite ocur cuicrú in lán, ocur deic mba an lan ann. Cuicrú fairé dia doirmuine ocur dia mha faonlad ḡin a gaire.]

Sepead fairé dia fuirir.

.i. do doér epinnuch na nírú, ocur da trian a lánbiaṡa féin tucad do, uair ir inunn da trian na ceátruime ocur fepirú in lán, ocur da rann déc in lán.

Trian einiucloinne caich dia doer, áct ríḡ, ocur fécṡmuo a einiucloinne ríde dia doer; ceṛuime einiucloinne ḡad aoin dia fuigḡoer áct ri, fécṡmuo a einiucloinne ríde dia fuiririb.

Lan i namur meri ocur leṡ i namur, ḡrú, trian i namur taṡuige, ocur in a teaghlúe biur do ḡner, ocur beirú a eoḡa amach. Seṡṡmuo do oer taṡuigi oílḡeana; iní aroirú in rí ar ḡad aṡur duibrim, a leṡrúe areo ro ríḡ caé fep duibrim epirú no arim.

Seáṡṡmuo fairé dia amur uperḡi.

.i. do daoer epunnaé na nírú, ocur da trian a lánbiaṡa fep tugad do, uair ir inunn da trian na ceátruime ocur feped in lán, ocur da rann déḡ in lán.

C. 2446. Lan i namur meri, ocur in ḡad noicenn [do ḡner], ocur leṡ
C. 2446.] ina amur coṡuioéṡta do ḡner, trian ina aṡur taṡuige [chena] co bṡaíell, [ocur ina teḡlach bir do ḡner ocur beirú a heoḡa amach ocur amuch], fécṡmuo ina aṡur taṡuige cin cineo foidle, ocur ina ḡilla tairṡil, ocur leṡ, ocur ceátruime, ocur feped, ocur

muine'-woman; and the son who evades the maintenance, these are entitled to one fourth of honor-price. Or 'fo-fich,' i.e. who commits violence, i.e. the fratricidal son; or the 'or' is a negative, for there is no honor-price due to him in right of his father; and there is no honor-price or protection due in right of him (*the father*) to the son who absconds from the father so as not to maintain him in his old age, i.e. the emancipated son, and two-fifths of his full food was given to him, and two-fifths of protection he relinquished in place thereof, for two-fifths of the half are equal to one-fifth of the whole, and ten cows are the whole. One-fifth of his free-quarters *is due* to his 'dormuine'-woman and to his son who evades the maintenance.

DISTRESS.

One-sixth of free-quarters to his 'fuidhir'-servant.

That is, to the Irish 'daer'-servant of the common people, and the two-thirds of his *master's* own full food were given to him, for two-thirds of the fourth are equal to one-sixth of the whole, *i.e.* two-twelfths of the whole.

One-third of the honor-price of each person is *due* to his 'daer' servant, except *in case of* a king, whose 'daer'-servant has one-seventh of his honor-price; one-fourth of each person's honor-price is due to his 'fuidhir'-servant, except *in case of* a king, the seventh of his honor-price is *due* to his 'fuidhir'-servants.

Full *honor-price* for the butler, and half for the valet, &c., one-third for the groom, who is always in his household, and brings his horses out. One-seventh to frequenters in general; and of what the king is entitled to for *injury done* to each of these, half the same is *due* to each man of these from him.

The seventh of free-quarters to his 'urerghi'-servant.

That is, to the Irish 'daer'-servant of the common people, and two-thirds of his *the master's* own full food were given to him, for two-thirds of the quarter are equal to one-sixth of the whole, or two-twelfths of the whole.

Full honor-price for the butler, and for every 'dichenn'-servant always, and one-half for his valet *who is* always *in attendance*, one-third for his groom with wages also, who is always in his household and brings the horses out and *holds them* outside, one-seventh for his groom without fixed wages, and for his courier, and one-half, and one-fourth, and one-sixth, and one-twenty-fourth are *due* to

DISTRESS. [ceṭrumaṑ paṑṑ pichit] doibrimh ina neneclunn. Al mbiaṑhaṑ,
C. 2446. ocur a ruirpe fo neneclunn ; no ir ceṑtmuṑ rairpe doib fo uile.

Ir i foṑuil eniacluinne beruit na hamuir dia neneclunnuib
rimh. Al mbiaṑhuṑ ocur a rairpe fo neneclunn, no ir ceṑtmuṑ
rairpe doib fo uile. Al gilla gloimuir amuil a aṑhur lete ; ocur i
ceṑtur maigih diṑona inṑro uile. Ocur ir lan in gaṑ naoen
maigih diṑona, ocur ir lan in gaṑ noicinn ciṑbe baile i mbe do
gref.

Lan rairpe caich fria cunnuimne neiniuchruice ar a
nai raṑeirih.

.1. In lanaṑ foerim do raṑuibtir in cumnuim do beir ruice
nimṑerṑṑa for a éiniuch cuna tiaṑtuim ar a naṑuiṑ uṑein do
caicium biṑ reaṑa fele, .i. biaṑ neineacluinne inn fo.

Leath rairpe maṑ fuit noṑruide neach fri foṑuiṑ
teṑṑa.

.1. Leṑ foerim raṑbur maṑa neaṑ eile fuiruir uaṑ i neach
rim do caicium biṑ céilrine flaṑa, biṑ reṑa fele ṑam, .i. biaṑhaṑ
a mamuṑ nach eile, .i. in fri ir fearir, teṑ do caicium in biṑ rim.

In flaiṑ fo cuirurtur na ṑama do caicium biṑ céilrine ann
rim, ocur leṑ foerim na flaṑa raṑbuir rium for in ti do raṑ
doib in biaṑ, uair leṑ foerim raṑbuir ar rṑaṑ in biṑ céilrine do
gref, ocur a lan foerimh fein raṑbuir rium ar in flaiṑ. Muna
tucaṑ in biaṑ do na ṑamuib itir, in cutruma no biaṑ don flaiṑ
i neamṑabuirṑ in biṑ do buṑéin curub eo biaṑ ṑona ṑamuib ina
neamṑabuirṑ doib. No ṑono cu na hicur ref in flaiṑ eiric i
neamṑabuirṑ in biṑ itir, uair fo ṑeiliṑ in biaṑ ref in flaiṑ ;
aṑ in cutruma no bia ṑon ṑamh cu tiaṑtuim doib ari naṑuiṑ
uṑein, fo aicneṑ reaṑa fele, no gnaṑ leṑa, curub eo beaṑ i
neamṑabuirṑ in biṑ rim doib.

¹ *Food of tenancy.* That is, food given by the tenant as rent.

them as their honor-price. Their food and their free-quarters *are* DISTRESS.
according to their honor-price ; or all these are entitled to one-seventh of *their master's* free-quarters.

This is the proportion of the honor-price of *their masters* which the servants have as their honor-price. Their food and their free-quarters are according to their honor-price, or the seventh of free-quarters is *due* to all these. His horse-boy is as his 'amus-lethe'-servant ; and all this *relates to injuries inflicted upon them* outside a sanctuary. It is full honor-price in every sanctuary, and it is always full honor-price for every 'dichenn'-servant wherever he is.

The full free-quarters of every one for the unbecoming entertainment of their own accord.

That is, the full protection which the entertained party would relinquish who bring a blush of shame into the face of *their host* by coming of their own accord to consume the food of one night's entertainment, i.e. this is the food of honor-price.

Half free-quarters if another person sends one upon lawful entertainment.

That is, he loses one-half of protection if it be another person that sends him to consume the food which is due to the chief from his tenant, i.e. the food of one night's entertainment, i.e. the food given to a party for a *night's entertainment* on the authority of another, i.e. of a higher man, they go to consume this food.

The chief has sent the parties to consume the food of tenancy¹ in this case and half the protection of the chief (*which the chief himself would give*) they (*the parties*) relinquish to the person who gave them the food, for it is half the protection they relinquish in lieu of the food of tenancy at all times, and his own full protection they relinquish to the chief. If the food has not been given to the parties at all, the proportion which the chief should have for the non-giving of the food to himself is that which shall be *due* to the parties for the non-giving of it to them. Or indeed *others say* that 'eric'-fine is not paid by the chief at all for the non-supplying of the food, for the food was separated from the chief (*out of his possession*); but the portion which would be due to the party on their coming on their own account, according to the nature of a night's entertainment, or constant dues, shall be *paid* for the non-supplying of the food to them.

This is the food of tenancy of the chief, and it was the chief that sent his party for a night's entertainment to consume it ; and *in this case* the protection of the chief is left on the tenant, and the full protection is left by the parties on the chief according to his own quality, for it was he that gave them food. And here it is found that two protections are relinquished on account of one food, and if the food is not given to the parties at all, 'smacht'-fine shall be paid to the chief for it according to the nature of the food of tenancy of the chief, for the protection of the chief was left on the tenant in this case, and there is no 'smacht'-fine due of the chief to the parties for keeping them fasting as he had ordered food for them, or else there is no 'smacht'-fine for fasting due of the tenant to the chief when he offered the food to the parties. And there would be *a fine equal to one-seventh of that for manslaughter*, and double food, and honor-price due of the tenant to the parties if he kept them fasting, for they owned the food which the chief had offered, and there is no 'smacht'-fine due of the tenant to the chief, for he had ordered the food for another.¹

Excepting *the case of* excess of number or of noble food.

That is, too many people came to consume the food of tenancy, for the food is not the more plentiful, i.e. the free-quarters does not increase, though there be an excess of people or an excess of noble food, i.e. the protection is not the longer on that account, i.e. it does not increase the free-quarters to feed an excess of people or to give them a part of food, or if it be full free-quarters to the one, and half free-quarters to the other, or if there be many, *still it is only one* free-quarters for them that is *due* from him.

If² it be full food with condiment, it is full protection that is relinquished for it. If it be full food without condiment, or half food with condiment, or offering of full food with condiment, it is half protection that is relinquished for it. If it be less than full food that is offered to him, the proportion of the food which is offered to him is the same proportion of the half protection that he relinquishes for it if there be protection, and if there be not, there is nothing in lieu of it.

The food was not consumed in this case, and if it was consumed, the proportion of the food which was consumed is the proportion of the full protection which he relinquishes in lieu of it, if there be condiment ; or it is half protection unless there is condiment, or that more food was offered than the quantity consumed ; or else

DISTRESS. biud ann ina in cuiruma ro caithed; no dono in cuirumu bið
 ro caithed ann ir a roeum aicintu ar a rğath cu na caithum,
 ir a leat ar rğat ma ta fornuim, ocuř muna fuil for nocha
 nfuil ni ar a rğath.

C. 2448. Ʈa trian raire caich řři ad, ad ni ařa mbid řleð
 C. 2448. techta, no coire břiudřud, oř řřirođuin; řođuilciur oř
 [řaire] řři hınnřuice, [leð řaire řřia hanınnřaic.]

Ʈa trian raire caich, .i. biad ocuř řonairu cu tairerın tairřme;
 ocuř ir řice lar amlıd, .i. Ʈa trian na raire řařlıuř uil, cuic la dec in
 řođřuairu, ocuř cuicid in řořđe, cuna řice řamluř, .i. Ʈa trian řoeřum
 řařbur cach řři řođuir bið las řo tabuiru řo; Ʈa trian a lannbiata co
 řonairu tucud řo, ocuř Ʈa trian a řoeřum řařbur ar a rğath. Ad
 ni ařa mbid řleð techta, .i. ař a mbid lınn řligteð, uair ir řur řo
 cuairu a meannu o řo biad lınn no řeðil ann na buð luřa na lannbiatuð,
 .i. in řeoir eilřciur ir in coire Ʈa břiud, .i. mařın a mbid cuřř, no caire
 řor řiuř, .i. ir oř biaduřia mbe řon ann cid řři ře řo berur, .i. řoeřum
 oř řaořem comřlan řařbur řer na hieadřin obur innřuic in lannbiathad.
 [leð řaire řřia hanınnřaic, .i. leð biata co řonairu tucad řo ann:
 leð řaire řři tınchar teðta, řři řer, ar teð, ar tine, ar řerřa, ar
 řerřa, cin biatha ad nırerad.]

leat raire řři tınur tınrocin in bid.

.1. a mbid řein caithur řunn, .i. no řoeřum řařbur řři
 tınearu nech řo tınrocin řo taoð cu řligteuch, ocuř lannbiatıuð
 cen řonairu tucud řo ann, no leð biatuð cu řonairu, no
 tairerın lannbiata co řonairu, .i. řeð la cu leð; ocuř ir i
 ceřřuime na řuire uile dia mbe řonairu ir leð na řuire, .i.
 cuic la dec, dia mbe řonairu ocuř tairerın lannbiata it teora
 ceřřuime na řaoire.

Ca har a břařburu řuine řaořum air buðem, ocuř a biad řo
 adteð řo? Ir ano řo on a nınbuð řo řailřciur řam na tairuř ře
 řorur eile dia řařđ, ma řo řailřřeð ar in řařı buðerın, no ma

¹ On a previous occasion. In C. 2448, the reading is 'řeðciur uile,' for 'řorur
 eile,' of the text.

the quantity of food which was consumed shall stand against its natural protection when consumed, and its half in lieu of it *when offered*, if there is condiment, and unless there is condiment there is nothing in lieu of it. DISTRESS.

Two-thirds of the free-quarters of every one for luncheon, except one at which there is lawful banquet, or the 'briughaidh's' cauldron, for which there is full *free-quarters*; full free-quarters attaches to integrity, half free-quarters to non-integrity.

Two-thirds of the free-quarters of every one, i.e. food and condiment with offer of lodging; and thus he has twenty, i.e. thus he has two-thirds of all the free-quarters, the fifteen days of the condiment, and the five that try the patience,^a (i.e. *without condiment*), which makes twenty; i.e. two-thirds of protection every one relinquishes for giving to him luncheon of one day; two-thirds of his full food with condiment was given to him, and two-thirds of his protection he relinquishes in lieu of it. Except one at which there is lawful banquet, i.e. lawful ale, for this is what he (*the author of the law*) had in view, when there is ale or fleshmeat at it not in smaller quantity than full food. Or the 'briughaidh's' cauldron, i.e. the flesh which is put into the cauldron to boil, i.e. when there is ale, or a cauldron on the fire, i.e. it is full food if these are there though they be given for luncheon. For which there is full *free-quarters*, i.e. full protection or complete protection he relinquishes for these particular things when the full food is good. Half free-quarters to non-integrity, i.e. half food with condiment was given him in this case; half free-quarters for lawful supplies, for lodging, for house, for fire, for vessels, for bed, without food except what they bring *themselves*.

^a Ir. *Of the patience.*

Half free-quarters *is due* for convenience to prepare the food.

That is, they consume their own food in this instance, or one relinquishes protection for convenience for lawfully preparing his food, and full food without condiment was given to him in this case, or half food with condiment, or offer of full food with condiment, i.e. seven days and a half; and the fourth of all the free-quarters, if there be condiment, is half the free-quarters *without condiment*, i.e. fifteen days, if there be condiment and offer of full food it is the three-fourths of the free-quarters.

In what instance does a man leave protection upon himself and consume his *own* food? In this instance, *viz.*, when he served a party that had not come to him on a previous occasion,¹ whether the party themselves had neglected it *intentionally*, or had been obliged to go away upon urgent *business*, and he (*the host who was to*

DISTRESS. Do cuadur ne torcu deitberre, ocuf no caitirtur rim a biad, ir a let faorum fasbur air; ocuf ir é rin aon inat ir in berla fene ana fasbann neé faorum air ocuf a biad boden do caitheo do.

Cuicead ruire. Ffu dís ffi die.

.1. nech no faiz biad ir in ló inn rin; maó ir in oíóe ir ce-
tuirne inech no faiz biad.—S. O., .1. cuiceó ruire in bió, .1. tri
la, ocuf ir í deaómuíó na ruire uile. Dia mbe fornaíom ir
cuiceó na ruire uili, re la; dia mbe fornaíom cu toircefin laín-
biata it oét la dec.

Ma deog a lo, ir decmuíó na ruire in bió, ocuf ir é píéctmuíó
na ruire uile, .1. laíte cu let, ocuf dia mbe fornaíom ir deé-
muíó na ruire uile, .1. tri la. Dia mbe fornaíom cu toircefin
laínbiata, it péct la dec cu let; ocuf ir do ruíuib cuna com-
gírauib in ríéct ro, ocuf ní géb gíreim etir feinió cin biad no
cin taircefin mbió.

Alch rgeo rgeatuch.

.1. dam feaéta pele ro. Maó raíuo in biad fearb no rgeatuch
do na damuib, muna fear a feirbe no a rgeatuiqe air, ir rlan don
muinnitir, aét aitéin bió inhuice uatuib máta acuó, ocuf muna
bpuil nochá nupailiunn oligeó orpuó a ceannuch, ocuf ciad no
faruó cneó doib do caíuim in bió, rlan can ní oíc ruu. Maó no
fear a feirbe no a rgeatuiqe, ocuf ní ar fat poqla tucu doib e,
aitéin bió inhuic cu na diablad oíc ruu; ocuf nochá npuil einu-
clunn, uair nochá comfoóuil bíó gáite; ocuf maó no far cneó
doib do caíuim in bió, ir loq ótíupa na cneíde no far doib de

¹ *Berla Feini.* This probably refers to the most ancient part of the laws which are believed to have been written in the Berla Feini dialect.

² *Food.* The Irish of the above paragraph, is added in the original MS. in a different handwriting, which Dr. O'Donovan thought was that of Gilla-na-naev Mac Egan. For a notice of the Mac Egan family of Brehons, *vide* Preface to *Senchus Mor*, vol. i., p. xxxiv., *et seq.*

entertain them), consumed the food, he relinquishes half the protection for it; and this is the only instance in the 'Bérlá Feini,' where a man relinquishes his protection for having consumed his own food.³

DISTRESS.

One-fifth of free-quarters is the lessening incurred for drink by day.

The one-fifth is the lessening which food incurs in the day; if in the night, it is one-fourth that food incurs—S.D., i.e. one-fifth of the free-quarters of the food, i.e. three days, and it is the tenth of the whole free-quarters. If there be condiment, it (*the lessening*) is one-fifth of the whole free-quarters, six days; if there be condiment with offer of full food, it is eighteen days.

If drink by day, it is one-tenth of the free-quarters of the food, and it is the twentieth of all the free quarters,³ i.e. a day and a half, and if there be condiment, it is the tenth of the whole free-quarters, i.e. three days. If there be condiment with offer of full food, it is seventeen days and a half; and this section has reference to kings and persons of equal grade with them, and it has no effect among the Feini without food or without offer of food.

Unless *the food or drink* be mawkish.

This is *the case* of a party for one night's entertainment. If bitter or mawkish food has been given to the parties, unless the bitterness or the mawkishness has been known to the host, the people of the host are free, but so as they give, as restitution, an equal quantity of wholesome food if they have it, and if they have not, the law does not command them to purchase it, and even though injury might arise to them who are entertained from using the food, it is safe⁴ not to pay any to them. If the bitterness or mawkishness of the food was known to the host, but so as it was not given to them for the purpose of injury, restitution in wholesome food, with its double, is to be made to them; and there is no honor-price due, because it was not "the distribution of stolen food;"⁵ but if injury has arisen to them from consuming the food, the price of the cure of the injury which resulted to them thereby shall be paid by him to them. If it was for the sake of inflicting injury that it was given to them, resti-

³ Free quarters. The free-quarters lessened as the food and condiment increased.

⁴ It is safe, i.e. the host is exempt from the payment of 'eric'-fine for the injury.

⁵ Stolen food. If the host had given stolen food to his guests he should pay honor-price.

tution in wholesome food, with its double, shall be made to them, ^{DISTRESS.} for their deception, and if they have consumed the food, it (*the case*) is the same as injuring the body by wounding.

If mawkish ale has been given to the parties and the people of *the host* were not aware of the mawkishness, they are exempt from *penalty*, but so as they give lawful ale if they have it, and if they have it not the law does not command them to purchase it.

If its mawkishness was known to the people of *the host* before giving it to the parties, it is 'eric'-fine for deception that is due to the parties in this case, and it founds a claim of restitution of the ale for the parties, but they are not obliged to make any other restitution afterwards, unless they have it, and if they have it they are bound to give it, and they shall pay 'eric'-fine for deception, i.e. the second portion of the double seizure of the food; and it was not for the sake of injury that it was recommended to them, but if it was, then double, and honour-price and restitution are *due*, and this restitution must be always made, whether the people of *the host* have it or not; and if injury resulted to them from the consumption of the food, the full fine for the injury which resulted shall be paid *by the host*.

If it was not for the purpose of injury that it was deceitfully recommended to them, and injury arose to them therefrom, it (*the crime*) is similar to an illegality inflicted without design with respect to restitution; and this is the same as *giving* bitter or mawkish food with knowledge or without knowledge.

If they consume the bitter or mawkish food with knowledge of its bitterness, it founds a claim of restitution for them, but restitution need not be given to them at any time after they have consumed *what was given in* restitution, whether they (*the host's people*) have it or not. Or indeed, if they have it, they are bound to give it, and if they have it not, they are not bound to purchase it.

If it was for the purpose of injury that it was deceitfully recommended to them, restitution is always to be made for it, and it is never compulsory to buy the food, nor give it unless there be 'seds' within which may be ordered for food.

Half free-quarters for full protection.

That is, *as to* the complement of food which was consumed on the occasion, it is entitled to its natural protection, and it is half protec-

tion *that is given* for the complement of food which is offered, if there is condiment, and if there is not condiment, there is nothing for it. DISTRESS.

A workman's free-quarters, i.e. from one day to another, &c.

What is the reason that the artisan has protection, for it is for the price of a workman's free-quarters from one day to another, &c., that he did his work? The reason is that double rations might be given to the man of perfection *in his art*.

Sick attendance to workmen is given according to rank. Relief for his day according to its value.

That is, *as regards* the person to whom a day's work is given *to do* the free-quarters of that man is given according to his dignity.—S.D., i.e. if it be noble relief that is given for the work it is conferred according to the dignity of him to whom the relief is given, or according to the extent of the relief which is given in the case, i.e. if it be one-half day or one-third of a day, it is one-half free-quarters or one-third of free-quarters for it; or indeed, whether the work be small or great there shall be full free-quarters or half free-quarters for it. Half protection is relinquished by the Feini grades and the 'aire-desà' chief, without condiment, and if there is condiment it is full protection *that is relinquished*.

Certain decisions of authors leave the chieftain grades without condiment, and if there be condiment, they (*the chieftain grades*) *shall relinquish* twice as much, and as for the artisan he relinquishes it after the work is finished, and there is exemption to the person who does it, and to the person with whom it is done, while it is being done, and there is no protection to the person with whom it is done after it has been finished, unless he has it according to the law of exemption, and if he has it so he shall enjoy it.

According to the largeness or smallness of the work, the person who executed the work, or the person with whom it is executed, shall, while it is being done, enjoy workman's free-quarters; and according to the largeness or smallness of the work, the person with whom the work is done, after it has been finished, shall enjoy the same, and the artisan shall give an equal share of the wages to the person with whom the work has been done.

No free-quarters or protection shall set aside the suit of one who is of higher honor.

DISTRESS.

C. 2657. [.1. ní ber uairli nað enecclann, cío iḡli inaḡ iní aḡarḡar anḡ,
ar ne ne in roerain in mbair iḡ ḡar an fíḡ raorḡa in ecmaḡ
ro ḡabao an aḡḡabail, .1. lúbra ocuḡ bíð ocuḡ roḡaḡa.]

- .1. loḡ einiuch ḡon aḡḡabail inbleoḡuin ro éailḡe, ocuḡ cuic
C. 2658. reoit iar fíḡ rairḡe [no iar farc], ocuḡ a fuil roḡ loḡ einiuc
roḡ anao ná rairḡe. Mað ḡin fíḡ rairḡe, iḡ loḡ einiuc nama ro
éailḡe ḡo aḡḡabail inbleoḡuin, ocuḡ a fuil roḡ loḡ einiuc [roḡ
C. 2658. anao aicḡa in reoit no] roḡ anuo ná rairḡe.

Loḡ einiuc ḡo aḡḡabail éinḡuiḡ roḡ anuo ná rairḡe, ocuḡ cuic
reoit, ocuḡ a fuil roḡ loḡ einiuch roḡ anuo aicḡo in ḡreoit. Ma
ḡin fíḡ, iḡ loḡ einiuc roḡ anuo ná rairḡe nama, ocuḡ a fuil roḡ
loḡ einiuc roḡ anuo aicḡo in ḡreoit.

Mað aḡḡabail inbleoḡuin ḡabḡur ḡar farc, loḡ einech ḡi ro
éailḡ, ocuḡ cuic reoit laiḡ, ocuḡ a mbi rairḡ ḡo ḡabail laiḡ in
aḡḡabail. Muna be farc, loḡ einiuch nama ḡo lécin ar, cin reotu.
Iḡ ḡeríðe iḡbeirḡuim ruar a ḡabuḡḡ ḡo rḡaḡuḡ fíḡ iḡ ḡualuḡḡ.
Ma aḡḡabail éinḡuiḡ, loḡ einiuc ḡo roḡ anuo ná rairḡe ocuḡ a
anao rein; muna bé in farc on éinḡuð ní bfuil rairḡe roḡ ní ḡia
reailḡao iḡeir.

C. 2707. Ní ḡaibḡur nimhe ceḡra in aḡḡabail, [each, ḡrl.]

.1. cuic reoit a rḡaḡt .1. ná ceḡra aoa nimhe ar a ḡualḡur
réin, no ceḡra ná nimhe aoḡuḡe rann .1. inunn imurḡo aḡaḡ cuic
reoit i ḡḡabail ná ceḡra iḡ nimheð iar napað ocuḡ iar ḡroḡcað,
cío o éinḡuð cío o inbleoḡuin; ocuḡ ḡo ḡuaḡa aḡaḡ ná cuic reoit
ḡi iar napað ocuḡ iar ḡroḡcað; ocuḡ noch a ḡfuil ní ḡo ecluḡ,
uairḡ ḡo ní éḡinḡuic ḡi elo ḡo lécin, co mbeirḡuḡ a einecclunn uile
uairḡe; ocuḡ noch a ḡoenunn aḡt éḡinḡuic leḡe ḡo ḡuaḡa ele ḡo
lécin, ocuḡ cío éḡinḡuic ḡuine o biaḡ tochuḡ aḡa leḡ einecclunn
ḡo o ḡo ḡena maiḡ ḡa tochuḡ, ocuḡ o biaḡ leḡeinecclunn ḡo aḡa
lan rḡaḡt ḡo.

¹ *Exempt cattle*, 'nimhe.' These are frequently referred to in the Brehon Laws. Their division into twenty-five classes is fully described in C. 814, 815.

That is, a thing which is higher than honor-price, though lower than the thing which is sued for in the case, i.e. a portion larger than the honor-price of the protector of the distress is to be let go during the period of the protection, when it was, notwithstanding the knowledge of the protection, in his absence the distress was taken, i.e. work and food and condiment.

DISTRESS.

The amount of honor-price of the distress of the kinsman is set free,^a and five 'seds' after knowledge of the free-quarters, or after ^a Ir. *Let into the wood.* notice, and all that is for honor-price while the free-quarters lasts. If without knowledge of the free-quarters, it is the amount of honor-price only of the distress of the kinsman that is set free,^a and what is for honor-price during the natural stay of the 'seds' or while the free-quarters lasts.

The amount of honor-price of the distress of the debtor during the period of the free quarters, and five 'seds,' and what is *due* for honor-price are entitled to^b the natural stay of the 'seds.' If without know- ^b Ir. *Upon.* ledge, it is honor-price during the period of the free-quarters only *that is due*, and what is over honor-price during the natural stay of the 'seds.'

If the distress of the kinsman has been taken notwithstanding notice of *the exemption*, the amount of honor-price of it shall be set free, and five 'seds' besides, and *the fine* that is upon it is to be taken by him in distress. If the notice has not been given, the amount of honor-price only shall be let go, without the *five* 'seds.' Hence it is said above to give it to the protection of a man that is able to *protect it*. If it be the distress of the debtor, he shall have honor-price during the time of the free-quarters and his own stay; unless the notice has been given by the debtor there is no free-quarters upon any part of his property at all.

The exempt cattle,¹ a horse, &c., shall not be taken in distress.

That is, five 'seds' is the 'smacht'-fine, i.e. the cattle which are exempt in their own nature, or the cattle of the dignitaries are referred to here, i.e. there are indeed five 'seds' alike due for distraining the cattle which are specially exempt, after notice and fasting, whether from the debtor himself or the kinsman; and these five 'seds' are due to the laity after notice and fasting; and there is nothing due to a church, for to evade renders it (*the church*) fully unworthy, and deprives it of all its honor-price; but it only renders a layman half unworthy to abscond *from his liabilities*, and though a man be unworthy, so as he has property with which he does good, he has half honor-price, and when he has half honor-price he has full 'smacht'-fine.

DISTRESS

Μαρ γε παρὰ οὐρ τρωρεαδ πο γοβαδ να αεθρηα ιρ νιμι ιν αηγαβαιλ, ιρ οιλρι γαδ αηγαβαιλ υιλ ιμ ινολιζεδ αηγαβαλα δο denum ρια co ρυice δεδ mbu no δεδ ρεοτu; no οιλρι λετι γαδα αηγαβαλα δο τυατα co ρυice cuic bu no cuic ρεοτu; οὐρ nochα ηρμυιλ δεδβιρ neime να νιμνιμε ρια παβαδ οὐρ ρια τρωρεαδ α n-υρρυδουρ, οὐρ ατα ιαρ παβαδ οὐρ ιαρ τρωρεαδ.

Οτα ιμυρπο α αιν δεδβιρ neime οὐρ νιμε ρια παρὰ οὐρ ρια τρωρεαδ, οὐρ ιαρ παρὰ. Nochon ρυιλ δεδβιρ λυι να αεθε ι νυρρυδουρ o buρ neime ιμ α γαβαιλ ιν αηγαβαιλ, οὐρ ατα α αιν ιμυρπο cumα ι ηγαβαιλ ιν αεθε ιρ neime γε παρὰ οὐρ ρια τρωρεαδ. Μα πο buι αεθε ναρ buδ νιμε ann, nochα ηρμυιλ δεδβιρ ηερυιμ ινα nemneρυιμ α αιν, οὐρ ατα ι νυρρυδουρ ιμ αηγαβαιλ. Nochα ηρμυιλ δεδβιρ αιντωιζ ινα ινbleoguin α αιν ιμ ιν αηγαβαιλ ινα um ιν epcuime, οὐρ ατα ι n-υρρυαδουρ. Ιρ ann ατα cuic ρεοιτ ι ηγαβαιλ ι neimio αεθηα ι n-υρρυαδουρ ρια παρὰ οὐρ τρωρεαδ ιν tan ιρ epic ρογλα πο ολεδτ ann, no αιο ρεδ ευιρ no cunnupeta οὐρ ποδαρ αετωιζ neime αιριθε ann να neimneime.

Μαρα ρech cuιρ no cunnupeta, οὐρ πο αετωιζ neime αιριθε ann, αετ μα τα neimneime ιρ comaicinta δο αιce, cuρub taoepca γαбу ιν neimneime ινα ι neime. Munα ηρμυιλ neimneime ιρ comaicinta δο αιce, cuρub taoepca γαбу ιneime ιρ comaicinta ινα imeime nach comaicinta.

C. 2.93. Ιν αιντωιζ ι neimneime δο γαβαιλ δε ρια να νιμε, α neime ρια να ηερυιμ, α ηερυιμ γε να ηραιγε, α ηραιγε πο δεοιζ. [Οὐρ μα πο γαβαδ νι οιβ ριν ρια να αειλε, cuic ρεοιτ ann, αιο δο αινταδ αιο οινbleoguin .ι. νι γαιβτερ an αινταδ α αιναδ οινbleoguin cen βερ τιρ ac ιν αινταδ. Γεβτερ ιμορπο ινα αιναδ ηen no α αιναδ α ειαγαρηα ιαρ nembeio αετρυ αιλε oca αια βετ τιρ oca.]

Ιν οινbleoguin ιμυρπο, ι neimneime γε να ηερυιμ, α ηερυιμ γε να νιμε, α νιμε γε να ηραιγε, α ηραιγε πο δεοιζ.

¹ *Cain'-law*. A law applying to all Ireland.—*Preface Senchus Mor*, vol. i., p. xlv.

² *Urradhus'-law*. The local modifications of the general laws consequent on the division of Ireland into separate kingdoms and territories.—*Preface Senchus Mor*, vol. i., p. xlv.

If the cattle which are exempt had been distrained before notice and fasting, every distress is forfeited for being illegally taken, as far as ten cows or ten 'seds;' or, *according to others*, half every distress is forfeited by a layman as far as five cows or five 'seds;' and there is no distinction of exemption or non-exemption before notice and fasting in 'Urradhus'-law, but there is after notice and fasting.

There is however in 'Cain'-law¹ a difference as to exemption and non-exemption before notice and fasting, and after notice. There is no difference as to small or large in 'Urradhus'-law² when it is exempt cattle that are taken in distress, but there is in 'Cain'-law, in which the fine (*i.e.* five 'seds') is for taking a large beast which is exempt, before notice and fasting. If there was a large beast which was not exempt, there is no difference of necessity or non-necessity in the 'Cain'-law respecting distress, but there is in 'Urradhus'-law. There is no difference as to debtor or surety in 'Cain'-law respecting the distress or respecting the incapable person, but there is in 'Urradhus'-law. There are five 'seds' fine for distraining exempt cattle in 'Urradhus'-law before notice and fasting when it is 'eric'-fine for injury that is due, or if it be for debts of bargain and contract in which no stipulation of exemption or non-exemption was made.

If they be debts of bargain and contract, and that a certain exemption was stipulated therein, if he has non-exempt cattle of the same nature, the non-exempt cattle shall be distrained before the exempt. If he has not non-exempt cattle of the same nature, the exempt cattle which are of the same nature shall be taken before the exempt which are not of the same nature.

The non-exempt cattle of the debtor may be taken from him *in distress* before his exempt cattle, his exempt cattle before his land, his land before his person, and his person last of all. And if one of these things has been taken before the other, there shall be a fine of five 'seds' for it, whether it has been taken from the debtor or from the surety, *i.e.* the surety³ shall not be taken for the liability of the debtor while the debtor has land. He shall, however, be taken for his own liability, or the liability of his chief, when he has no sufficient cattle, though he may have land.

As to the kinsman, his non-exempt cattle are taken before his land, his land before his exempt cattle, his exempt cattle before his person, and his person last of all.

³ *Surety.* From the context it appears that the terms *cintac* and *inbleogain* should be transposed.

DISTRESS. Im epcuib fogla rin, no im fiachuib cuir no cunnurta.

Ar procuirfe re himbloḡuin gabur in ferann re na nime, ar iḡ reḡ do cuatḡ meanma an uḡuuir cumatḡ mḡ no riḡatḡ aḡer reoit re caiteamḡ ina ferann. Cio neimnerum no ḡleatḡ neacḡ, nochā ninnḡigteḡ do nerumḡ naḡ buḡ neime do gabail a nḡill riḡ.

Cio neimnerumḡ tḡa iḡ neime ḡleuḡ neacḡ, in cein beḡ neaḡum no neimneaḡum na buḡ neime ann, nochā tḡir do nerumḡ buḡ neime do gabail in aḡgabail.

Cio neaḡum buḡ neime ḡleuḡ neacḡ, nochā tḡir do nerumḡ buḡ neime do gabail cein beḡ nerumḡ buḡ neimneime ann. Muna be riḡde ḡeana, cia no beḡ nemnerumḡ buḡ neime, no na bu neime ann, nochā ninnḡigteḡ tḡorumḡ nerumḡ buḡ neime do gabail i naḡgabail ainnriḡde.

Na boin fo cneaca iḡir tḡa relḡ.

.1. A colunn lairín tḡara fer, ocuḡ a lachḡ ac in riḡ eile; no ciḡ a colunn beḡ acuḡ imaroen, .i. in bḡ aḡbriatḡ, .i. iḡir tḡa eircinnuach, no eḡir tḡa reḡnubuiḡ; na boin coḡnuma iḡir tḡa tḡ.

Matḡ ro gabatḡ in aḡgabail in reoit uil iḡir tḡir, matḡ ro riḡir in tḡi ro ḡab é a beḡ eḡir tḡir, cuic reoit do ceḡtuḡ de tḡib ann; no cumatḡ aen cuic reoit tḡoib, ocuḡ a tḡa tḡrian tḡon tḡi iḡi cin imnaḡ gabatḡ, ocuḡ aen tḡrian tḡon tḡi iḡ a cin imnaḡ gabatḡ. Muna riḡir in tḡi ro ḡab in aḡgabail é a beḡ iḡir tḡir, iḡ leḡ cuic reoit ann, ocuḡ aḡatḡa na cuic reoit roimḡin oḡro.

These are *regulations* respecting 'eric'-fines of injury, or respecting DISTRESS debts of bargain and contract.

Out of leniency to the kinsman it is that his land is taken before his exempt cattle, for the mind of the author *of the law* perceived this fact that he would require 'seds' for consumption more than land. Though one should be entitled to an article not required for immediate use, it is not unlawful for him to take an article required for immediate use which is not exempt as a pledge for it.

If a person should be entitled to an article which is not required for immediate use and which is exempt, as long as there is an article which is not exempt, whether it be required for immediate use or not, to be had, it is not right for him to take in distress an article required for immediate use and which is exempt.

If a person should be entitled to such an article which is exempt, it is not right for him to take one which is exempt as long as there is to be had one which is not exempt. Should this be not to be had, if there be an article not so required, whether it be exempt or not, to be had, it is not then unlawful for him to take in distress an article of necessity which is exempt.

The cows which are sold between two possessions.

That is, *the case of a cow* whose body *belongs* to the one man, and her milk to the other; or the body belongs to both, i.e. the cow which is a subject of controversy, i.e. between two lay superintendents of church lands, or between two priors; the cows which are subjects of dispute between two persons.

If the 'sed' which is owned by two persons has been taken in distress, if the person who took it had known that it was between two persons, there *is a fine* of five 'seds' due to each of them for it; or five 'seds' to both, two-thirds *of which* go to the person for whose liability it was not taken, and one-third to him for whose liability it was taken. If the person who took the distress did not know it to be between two persons, it is half five 'seds' *fine* that is due for it, and the conditions¹ of the five 'seds' mentioned before shall be upon them.

¹ *Conditions*, i.e. the fine shall be divided between the owners in common in the same proportions as the five 'seds' just mentioned, that is, two-thirds to him who owed nothing, and one-third to him who owed the debt for which the distress was made.

DISTRESS.

Na buin co ngaluir.

.1. In bo galuir; mara cinniti cunad tpe na gabail in atgabail
 ir marb hi, cuic roeit ann, ocur atgin. Mara cunnatabuir, ir
 cuic roeit ann, ocur let atgin. Mara cinniti cunach, ir cuic
 roeit nama.

No tarb i naimrir darra.

.1. Mara cinniti cunad tria fuiruire a gabala in atgabail
 tainice milleo in laeta ocur in laig, ir cuic roeit ann, ocur
 atgin in laeta ocur in laig. Mara cunnatabuir, ir cuic roeit
 ocur let atgin in laeta ocur in laig. Mara cinnite cunach
 tria, ir cuic roeit nama.

Cach bo oib ro aga ta laet do neod ir nime cethra, cuic roeit i
 na ngabail i nachgabail, ocur atgin a laeta ma do cuatur i
 noirce, ocur cinnite cunad tria na ngabail in athgabail do
 cuatur i noirce. Mar cunnatabuir, ir cuic roeit ocur let
 atgin in laeta. Mara cinnite cunad tria, ir cuic roeit nama.

Darra neime cethra fpi hinbleoguin acht cin a
 mbel faderin.

.1. atgabail mbriugneeta, .i. ni gebtur i cinuio in inbleoguin
 cein ber tir oc in cinuio; gebtur imurro ina cinuio fein, no i
 cinuio a tiagurina iar neimmbet cethra eile oca, cia bet tir
 oca.

Let cach a atgina ina inoligeo ria napud ocur troicud, ocur
 cuic roeit imurro irin nime cethra iar napud, dia mbe cethra
 eile oga; ocur muna bet, ir plan a ngabail iar napud ocur
 troicud.

c. 2710.

[Ni gaidter athgabail dpuith, na darachtaio,] na oim,

The cows with disease.

DISTRESS.

That is, the diseased cow: if it be certain that it was in consequence of taking her in distress she died, five 'seds' *is the fine* for it, and restitution. If it be doubtful, five 'seds,' and half restitution. If it is certain that it was not, it is five 'seds' only.

Or a bull in time of bulling.

That is, if it be certain that it was in consequence of its being taken in distress the loss of the milk and of the calf ensued, it is five 'seds' *fine* for it, and restitution for the milk and for the calf. If it be doubtful, it is five 'seds' and half restitution for the milk and for the calf. If it be certain that it was not in consequence of it (*the distress*), it is five 'seds' only.

For every cow of these which has milk and which is an exempt beast, there *is a fine of* five 'seds' for taking it in distress, and restitution for the milk, if they have run dry, and that it is certain that it was in consequence of being distrained they have run dry. If it be doubtful, it is five 'seds' and half restitution of the milk. If it is certain that it was not in consequence *of the distress*, it is five 'seds' only.

His exempt cattle are free for the kinsman except for the trespasses of their own mouths.

That is, distress of 'Bruighrechta,' i.e. *the exempt cattle* of the kinsman shall not be distrained for debt as long as the debtor has land; but they shall be distrained for his own liability, or for the liability of his chief when he has not other cattle, though he may have land.

The half of every distress is *forfeited* for the unlawful *taking of it* before notice and fasting, and five 'seds' *is the fine* for taking exempt cattle after notice, should he (*the debtor*) have other cattle; but if he has not, it is safe to take them after notice and fasting.

A fool, a madman, a male idiot, a female idiot, a

DISTRESS. [να οἰνιμιτι, να χαμβιλ; να αθηγαβαιλ α cono βερται α
C. 2710. cinto ocuf α παιτ].

[Οἰνιμιτι, .i. eo raē. Ὑαρχεταιό, .i. ποταβαρ αν ολαι φυλλα.] Οἰν,
.i. on an per. [Οἰν μιτι, .i. pēmen. Χαμβιλ, .i. ouine να bi bil uplabra.

Να αθηγαβαιλ α cono, .i. να coonaiğ βεραισ epic ipin cintoō do
gniter ppu.]

.i. each ni do βερur in οἰν ocuf in αιρλιουό don λυέτ po, ni
icuit α bpine; icuit imuppo α cinto coiui ocuf λαιne, .i. in tan
να biō oca fein, no nach ingnupuiğ iat.

Να hinnθεαρb realba να hathgabala ban να mac
pua tporcuo.

.i. realb ap naō hinnθεimhin cin do poētum, .i. no cpod ban no
macc, .i. ni pinnatar cuiō α realb aēt biō por α paithe rin nama.
.i. no in pet innuōa coiēcinn.—S. b., .i. cpod ban no macc, .i.
piau ci aer caōnuig doiō, .i. cein bet coōnuig don pine éana;
munā bet imuppo coōnuio don pine, gabur oibpum cutpumu
να pīac olegur don cintuch aēt pua cinto fein, .i. gabail
atgabala por in ecoōnuch um in aētgin, uair ata pailleēta cella
do; ocuf in letgabail diabulata por in coōnuch, ocuf cuic feoit.
Ipp aipe naē gabur atgabail in loēta poimunn uair ni pailter
ciall oca.

Γαibτερ iapum ap in econn loğ pīac do poille.

.i. gaibτερ iapum do να hecoōnuēuib loğ να pīach po aipull-
niter ann. Oitgin inech gabur oibpum, ocuf α diabluō dia coō-

¹ *Fit for work*, i.e. when they are not able to perform work sufficient to pay for their crimes of foot and hand.

dumb person, shall not be distrained: their adult guardians, who bear their crimes and get their wages, shall be distrained. DISTRRESS.

A fool, i.e. one who can earn wages. A madman, i.e. upon whom the magic wisp has been thrown. An idiot, i.e. the male. An 'oinmit,' i.e. the female idiot. A dumb person, i.e. one whose utterance is not good.

Their adult guardians shall be distrained, i.e. the adults who obtain 'eric'-fine for the injuries done to them.

That is, everything which is lent or given in loan upon interest to these people (*i.e. fools, &c.*) shall not be paid for by their family; they (*their family*) shall however pay for their crimes of foot and hand, i.e. when they themselves have not wherewithal to pay for them, or when they are not fit for work.¹

That the possessions of women and boys taken in distress before fasting should not be uncertain.

That is, property upon which it is uncertain that any claim lies, i.e. the property of women or boys, i.e. it is not known whose property it is, excepting only that is on their green, i.e. or the increasing 'seds' generally.—S.B., i.e. the cattle of women or boys, i.e. of boys before they come to the age of reason, i.e. as long as there are sane adults of the same tribe to be distrained in their stead; but if there be not sane adults of the tribe, they (*the women and boys*) may be distrained to the amount of the debts of the debtor, but they are liable for none except for their own debts,² i.e. distress is taken from the infant for the restitution, but not for the fines, for there is expectation that he will have sense; and the second portion of the double seizure from the adult, and five 'seds.' The reason that the parties before mentioned are not distrainable is because they are not supposed to have sense.

But the adult without sense is distrained for the amount of the debt which he incurs.

That is, distress is taken from the adults without sense for the amount of the debts which they themselves have contracted. Restitution of the thing itself is taken from them, and double from their

² Except for their own debts. This should be "the women and boys cannot be distrained for any debts except their own."

DISTRESS. nícuib. 1r aipe ní gairbēn rann don ecothnué aét aétgin uair
ní he ro elo apuó na tpopecuó rin ra cothnuig.

Ní gairbēn aṡgabail neime gnaid platha no eculra
conar paratur doib cu dechmuio.

.i. im cinuio nimbloeguin; cein beṡ gnaid feine don aicme ní
gairbēn athgabail neim, 7rl., conarbartar doib cu deaṡmuio.
níónuio. 1r ar rin 1r folliur ció bec in einectlunn beṡ do neoṡ a
uailgur a dāna, cunuo apuó dechmuioṡ biaṡ fāir.

Conar paratur doib cu dechmuio, .i. cura taipbentur doib biṡ i
nupnuigṡ ne ne dechmuioṡ cin tpopecuó porpuó.

Cuic feoit cach ninnoligió aṡgabala, acht nimio ime
dechbepe do ainhir no ainchear.

Cuic feoit cach ninnoligió, .i. in gach inoligeó do níur im in
aṡgabail aṡ no aṡa einṡoion bet i turbuio, .i. iar napuo ocup tpopecuó
ata ro rin, .i. cuic leat uinge. Nimio ime, .i. ainhir do, ní rēir ar ma
ceṡra níme ro gabuó, no ar ma uairle in ti oia ngabur oloar a glinne
raoerín; no ní rēir ar ma mo in aṡgabail oloar in do oligurur, ocup
ní rēir ar ma écuma a péiuṡ no ar ma fēir fēi arailṡ; no ní rēir

¹ C. 2711, adds, 14i gairbēn athgabail neme gnaid platha na eculra, 7rl.,
.i. cen beṡ gnaid fene oā naicme.

Cā baile a tet rogeit ocup bleṡ ocup lobuó a cenn aṡgabala mbloegain
ocup na tet aṡ rogeit ocup bleṡ a cenn aṡgabala einṡaig?

1r ainhir on, .i. na deoraió ocup na mupcurṡa, na dair, na mna, na
heoinn oca fpepcther ciall coṡnaig. Gabtar aṡgabail doib iman aṡgin,
ocup tet rogeit ocup bleṡ ina cenn, ocup ní tet lobuó. Ocup in aṡgabail
gabtar oā coṡnaṡa im an leṡgabail dubalta tet rogeit ocup bleṡ ocup
lobuó ina cennrōe. Ocup gurab mo roṡar mbloegain.

The exempt cattle of a *person of* chieftain grade, or of a church, &c., shall not
be distrained, i.e. as long as there are people of the 'Feini' grade of their tribe.

In what case does it appear that *expense of* feeding, and tending, and forfeiture

senior adults. The reason that restitution only is taken from the adult without sense is because it was not he who evaded notice of fasting, but his seniors. DISTRESS.

The exempt cattle of the chieftain grade or of the church shall not be distrained until a delay of ten days has taken place.

That is, respecting the liability of the kinsman ; as long as there are Feini grades of the tribe the exempt cattle shall not be distrained, &c., until they are waited upon for ten days. From this it is evident, that though one's honor-price be ever so small in right of possession, yet a notice of ten days should be served on him.

Until a delay of ten days, &c., i.e. until it is shown to them that they have been waited upon for ten days, without fasting upon them.¹

Five seds *are payable* for every illegal taking of distress, except what is defended by necessity or ignorance or difficulty.

Five 'seds' for every illegal taking, &c., i.e. for each illegality that is committed respecting the quick or legal distraint which is protected by exemption, i.e. those which follow down here are after notice and fasting, i.e. five half ounces.² What is defended by necessity, i.e. he (*the distrainor*) is in ignorance; he does not know whether they were exempt cattle that were taken, or whether the person from whom they were taken is nobler than his own surety; or he does not know whether the distress taken was more than the debt due, and he does not know whether his law agent is equal to or better than the other; or

accumulate upon the distress of the kinsman-surety, while only *expense of feeding and tending* accumulate upon the distress of the debtor? In this case following viz., the strangers, the foreigners from beyond sea, bondmen, women, and sane infants who are expected to get good sense *when they grow up to years of discretion*. Distress is taken from them for restitution, and *expense of feeding and tending* accumulate upon it, but forfeiture does not. And the distress which is taken from sane adults for the double half-seizure has *expense of feeding, and tending, and forfeiture* added to it. The advantage of the kinsman-surety is greater.

² *Five half ounces.* In C. 2711 there is added "ο βαοθηαυ," i.e. from idiots, or incompetent persons. This class of persons make half restitution, and pay one-fourth, one-eighth, and one-tenth of the five 'seds,' i.e. the 'smacht' or *fixed fine for distraining after an illegal manner*.

DISTRESS. — *ar ma mo ina loḡ a ríad do inbleoḡuin, no diaiblé do éinpié no gabail; no ní rítip ar ma mo ina loḡ einpié do aithgabail inbleoḡuin ro beirte ré forup. No aincear, .i. nochá caomnucuir gan ná neche rin do déanam co innoligéuch, no ní caemnucuir cin ceṛa eile do breṛ lair, .i. annra a hicc, .i. forperruio nimana forpno co mburter; ar oio nana co mall a tagar a marbad. Ainchear, don ní roibe dia pine neac ba olig-tacha dia gabail oluar in ti ror gabad; ocyr muna roib forup bad rerr rir ná gabad. Ocyr ir aincear dono, ní caemnacuir a tabuir co tuca a hupéuillte. Ainchear dono ní caemnucuir cin ceṛa nibe do tabuir, uair do lenrat de, ocyr ní caemnucuir cin urain riach do tobuir, uair bapreimio tabuir éanai, ocyr ní ruair péium aicht in pehiun éuc eio éuma.*

No ecunnur.

.1. *ecuibó, .i. ir orochcubur do cin farce nólíteach uad ré caithe no cumunn buri co cumurco; ocyr adbeirium ríma cubur fadain ir innruice gach ae, ocyr ir go iarum; ocyr ní rítip ríum dais ní mor ir ecomlan ann. No dono ní bi eol a corur cetheirleṛta, ocyr ní caemnucuir anad rir in da deac-muio ina diaig ar oman a marbta co ndeacuió amuda.*

Ecubur dono, ní rítip rom a tuigéet ina diaig, acyr ro muguideó, .i. let ocyr ceiruiá ocyr cuiceo ná cuic reoit innpié a triur, ocyr aigín.

Ecunnur dono, .i. lir ocyr buailió ocyr raíte, in cinuio do denun riu i ninaó rib rin co hinoligéet, .i. ní rítip arma ecomaduir roib in rcor ocyr in mainner ocyr in dun arrobuar innruice uile a ló no ala ló in tan forpacuib. Ecunnur, .i. cin rínn reoir, ocyr cin cumurc níleaṛa, ocyr cin farc in tper breitir, no cin mainnir talí ocyr amuig. Ocyr ro pec i a lo ríume, muna raca ir leath éaic reoit.

¹ *Difficulty.* The following brief commentary on the passage from C. 2711, is somewhat clearer than that already given:—

“No ainceir, .i. ní caomnacuir cin neme ceṛa do gabail a naṛgabail, ocyr ní ruair pecham aile, ocyr ní cumaing gan ní bu mó do gabail a naṛgabail inar a ní ro oligurcar.”

Or difficulty, i.e. he could not but take exempt cattle in distress; and he could not find another law agent, *though the one he had was of inferior standing* and he could not avoid taking in the distress more than he was due.

he does not know whether more than the debt has been taken from the kinsman-surety, or double from the debtor; or he does not know whether more than the honor-price of the distress of the kinsman-surety has been taken to the enclosure of the *distrainor*. Or difficulty, i.e. he could not avoid doing these things unlawfully, or he could not help taking away other cattle. *Difficulty*, i.e. it is difficult of payment, i.e. they were over-driven so that they were hurt; for had they remained *going* slowly their death might ensue. Or difficulty,¹ i.e. there was not of his tribe one who could more legally distress than the person who did distress; and if he had not a better enclosure into which to bring it, *he might bring it into his own enclosure*. And it is a difficulty, too, that he cannot bring it (*the distress*) until it is prohibited. It is a difficulty also that he cannot but drive out exempt cattle, for they clung to him, and he could not but pay the balance of the debt, for it was payable before *by the very fact*, and he could not find an advocate but the one he brought, though he was incompetent.

DISTRESS.

Or except what is defended by carelessness.

That is, he is not an accessory to it (*the carelessness*) i.e. it is want of thought in him not to give lawful notice of trespass or broken pound with mixing of *cattle*; and he says to his own mind that all is right, but it is afterwards *found to be* a mistake; but he did not know it, because there was not much of imperfection. Or else he did not know the fourfold division of the law of *distress*, and he was not able to wait, though they (*the exempt cattle*) followed, from fear of the *cattle he was distressing* being killed, so that they (*the exempt cattle*) went astray.

Want of thought now *means*, he does not know that they came out after him, and they were lost, i.e. there is one-half and one-fourth and one-fifth of the five 'seds' *due* under these three conditions,² besides restitution.

Carelessness now, i.e. to be guilty of impropriety towards them in either of those places unlawfully, i.e. at a 'lis'-fort, a cattle pen, a green, i.e. he does not know whether the 'scor'-pound, the 'mainner'-pound, or the 'dun'-fort in which they all were sound for a day or two days when he left them, was fit for them. Carelessness, i.e. without good grass, and without mixture of various cattle *being guarded against*, and without notice of the third word, or without a 'mainner'-pound within and without. And he looked to *all this* the day before, unless he did so it is half five 'seds' of *fine upon him*.

² Three conditions.—*Anfls*, ignorance; *ainches*, difficulty; and *econnus*, carelessness.

DISTRESS.

No etge.

C. 2712 .1. [Ní ro dún in berna], ní díb bhríur apaithe no a haenur, no bhríurium raderin, ocur ír fearruron. Ní díub bhríur rum, ocur ní ler a chumao, ocur ní bío borblur do anro, no ní mugairthur tét ina diaig a rður, no a mbuailló, no a liur.

Leath riach cach ainpír.

.1. in tan fogeba neé dia niaffairéó, .1. leé na cuic ret in gac ní do na hepnuilib ainpír aoubrumur nomuinó, ocur airiuc na himurcruíó rucúó a nainpír, ocur airiuc na haéginá uile damuó ail don ti ír haégin hí.

Ca deébir eturruó rin, .1. in tainpír ro ocur inge tre baoguil naigneoa tuar? Ír í an deébir, na reoit ro buo coir do gabail in athgabail tuar ír íat ro gabuó ann, ocur in duine dar gabuó in aégabail don óleirí in cin ann ír de ro gabao no ro óléct. Ocur neach eile a dubuirt rir cur óléct in cinuig, ocur cu nar hicuó e, ocur ní riririum nar rir do; ocur nochá tarlu inóligeó do a gabail na haégabala; ocur tuar imurro cu óligéct ro toxlaó í, ocur ní mo ina aégin cu ná diabluó do chintuch, no aégin do inbleoguin; ocur ní neime cethra ro gabao tuar beor, ocur ní heo ólegur don briteamuin a raó i nólegur no ná ólegur in cin, aét toxul ná haégabala anall cu óligéct.

Sunn imurro inóligeó do rala do ann a gabail a nainpír, ocur ní óligéct don aigne cin rir ná n-eapnuile ro aige buoin, ocur coir ce ro beé air ann ce ro ólig iní ro acuir.

Ceathruma cach aincep.

.1. cetrume ná cuic ret uao in gac ní ír aincher aoubrumur nomuinó. Ír aincep do an roo líl a ndeguró a athgabala dia nana rrua a ninurbuó a rður a marbaó; muná an do beir riacha inn, .1. cethrume cuic ret ina tuigéct lair, lá aégin cach

¹ Above, i.e. that description of ignorance already referred to in the phrase beginning, "except what is defended by necessity, or ignorance, or difficulty," p. 49, *supra*.

Or crime.

DISTRESS.

That is, he did not close the gap, *i.e.* one of them (*the cattle*) hurt another, or itself, or it hurts himself, and this is better. He hurts one of them, and it was not his duty to mind them, and it is not any impropriety in him, or what is lost goes after him into a 'scor'-pound, or a catle pen, or a 'lis'-fort.

Half fine *is incurred* for each *case of ignorance*.

That is, when one could obtain *information* if he would inquire, *i.e.* half the five 'seds' for each of the kinds of ignorance which we have mentioned before, and a restoration of the excess which was carried off in ignorance, and a return of the whole restitution if the person whose restitution it is should desire it.

What is the difference between this, *i.e.* this ignorance and *that referred to in the phrase* "except the three neglects of the pleader mentioned above?"¹ The difference is, the 'seds' that it is right to take as distress were taken *as stated* above, and the person² from whom the distress was taken was the person of whom the debt was due. *In that case* it was another person that had told him that the debt was due, and that it was not paid, and he did not know but that it was true for him; and he did not happen to commit any illegality in taking the distress; and *as stated* above also it was lawfully carried out, and there is not more than restitution with its double *due* for the debtor, or restitution for the kinsman; and also it was not exempt cattle that were taken *in the case mentioned* above, and it behoveth the judge to say, not whether the debt was due or not, but whether the distress was lawfully carried out.

But here (*in this case*) he happened to commit illegality in distraining through ignorance, and it is not lawful for the advocate not to have a knowledge of those cases, and it is right that there should be a *fine* upon him even though what he claimed is due.

The fourth for every difficulty.

That is, the fourth of the five 'seds' is due of him for everything which we have mentioned before as a difficulty. There is a difficulty for him while his distress is being pursued if he waits till they are overtaken, *and* their death follows, in this case he shall pay fine for it, *i.e.* the fourth part of five 'seds' for their coming with him, with

² *Person.* Literally, "and the person from whom the distress might be taken and who owed the debt, was the person who was distrained for the debt."

DISTRESS. nae. Ipe aincear fuil ann; ní caemnucuir fear naile don fine,
 — no ní ruair fechium buó cuma dia gabad ariale, no ní roibe
 cuingille techta oca tall, no ní caemnucuir eiti ní do níetmi
 ceóru do gabail.

Cuicead cach ecurbri.

.1. cuicead na cuic pet uad in tan na tarla for cubur fir
 inbriú na mannuich in inbuid ro teituis in mannuir pe
 noul amach, ocur ní piciu a lot tar a eir, ocur ní facuib neach
 oca coimé. Munur teituid pe noul amach, ocur ní piciu a lot,
 ir lech na cuic pet. Ma ro piciu a lot, ir cuic peoit uad ann.
 Ocur ir cinnti cunad tuid do cuadur amuza; ocur marí chunn-
 tabuirt ir leó-aithgin.

Aithgin gaé eóge.

.1. aithgin ir in cinuid do nithur per na hinnuile, ina lecad ir
 in úr a mbia, no ir in mbuailo a mbid, no ir in paithe a mbid,
 in inbuid ro orluice ná hinueta rin aca tabuirt na haégabala
 eirib, ocur ní ro iat ár éir, ocur tancuidur na diais amach,
 ocur cinnti cubuib tuid do cuadur na hinnuile amuza, ir aithgin.
 Mara cunnitabuirt in tuid no nach tuid do cuadur, ir leó
 aithina. Mara cinnti cunad tuid, ir rlan.

Cach uair ir inbriú, leó cuic peoit, no cethruime cuic pet
 no cuicead cuic pet do rinne fechium toichead in in aégabail,
 eric a inbriú do ic do ocur an aégabail do bec ina laim no
 co tincur é in geallad. Caé uair ir inbriú cuic peoit no
 neó ir mo maic cuic peoit do rinne in fechium toichead in in
 aégabail, eric a inbriú do ic do, ocur airc na haégabala uad;
 no dono cio bec cio moir in cinnbriú do ní fechium toichead
 in in aégabail, eric a inbriú do ic do, ocur cin airc a aithga-

restitution of everything. The difficulty is, he was not able to DISTRESS.
distrain any other man of the tribe, or he could not find a law agent
 competent to take another distress, or they had not the proper
 pledges within, or he could not but take exempt cattle.

One-fifth for every *case of carelessness.*

That is, one-fifth of the five 'seds' are due of him when he was not aware of the illegal state of the 'mainer'-pound when he tried it before going out, and he did not know of its being injured afterwards; and he left no one to keep it. If he did not try it before going out, and that he did not know of its being injured, it is half the five 'seds' *that he shall then pay as fine.* If he knew of the injury, five 'seds' are due of him for it. And when it is certain that it was in consequence of it (*the injury done to the pound*) they went astray, *it is a case for restitution*; if it is doubtful, it is *a case of half restitution.*

Restitution is *incurred* for every crime.

That is, there is restitution *due* for every crime that is committed with respect to the cattle, *i.e.* by leaving them in the 'lis'-fort in which they usually are, or in the cattle-pen in which they usually are, or in the green in which they usually are, when he (*the plaintiff*) opened these places in bringing the distress out of them, and did not close them afterwards, and they (*the other cattle therein remaining*) came out after him, and when it is certain that it was in consequence of *his neglect to close the places aforesaid* the cattle went astray, he shall make restitution. If it be doubtful whether it was or was not in consequence of *his neglect* they went astray, he shall make half restitution. If it be certain that it was not in consequence of *his neglect*, he is free.

Every time that the plaintiff has committed illegality respecting the distress, he shall pay the 'eric'-fine for his illegality to the amount of half five 'seds,' or one-fourth of five 'seds,' or one-fifth of five 'seds,' and the distress shall remain in his hands until he has tendered pledges. Every time that the plaintiff has committed illegality to the amount of five 'seds,' or more than five 'seds' respecting the distress, he shall pay the 'eric'-fine for his illegality, and the distress shall be returned by him; or, indeed, *according to others*, whether the plaintiff has committed little or much of illegality respecting the distress, he shall pay the 'eric'-fine for his illegality,

DISTRESS. bála uatá no cu tincur é cu ngealluib. No dono cach inóligeo do dena im in atgabail i nupruður no cu ría diabluð, in atgabail do beð ina laim, ocur icuio epic a inóligró; ocur o no ría diabluð, lecuo uatá in atgabail ocur icuio epic a inóligró; ocur iʒ ar gabur rin feðait co noiabluo fʒi tairiuc techta.

Mar e in peðam rucurur in pechium toicheða leʒ do gabail na hatgabala in peðeam a gabala cu hinóligréð, cio moʒ omóligeo do i raine uaire, iʒ epic cað inóligeo do dena oic do.

Már é in pethem ruc leʒ inn pethem a gabala co hinóligréð, cio moʒ do inóligréð do ni a nínannur uaire no cio a raine uaire, munur cloeðló inn pethium, nochá nícunno aét epic an inóligró iʒ mo do gena.

Ma do rinriut arpaen inóligréð atgabala, in pethium toicheða ocur in tairne, ma no petutur arpaen in inóligréð, no ni petur neétur de, iʒ ríac inóligró do coimic doib eturruo.

Maro ficit in tará de, aní fuil a fʒi oib oic do, iní uil i nainfʒi do coimic doib eturruo; no cumao a ic don aigne a aenur gað uair nach fuil fʒi aʒ neétur de.

Trían naithgína ar mīragbail.

.1. trían naithgína fʒi; ocur nochan e fein do chururur iat iʒin oʒoch innuill rin, .i. in trían naithgína rin o cach coonuch urruo uile a coitcine a relléet rechraín da nóligrú comar ocur comingaire, .i. ar na ceitʒe reétmuo in ouine, no ar na trī caiceo in boin, no na teorá ceithruime in each, .i. ar in oʒochragbail itir conu ocur gauiʒe; ocur ni é fein no imeʒ oʒochinnuill gaite foʒru.

Urpuo rin da nóligrú comar ocur comingaire, ocur nʒi buo leʒ in inʒaire in la rin, ocur damao leʒ, do biað atgín uatá.

Na huile oaine do na nóligrú comur na comingaire, cio a lo cio a noitce, ce tʒiut na hinnile chucuo, iʒ rlan doib a cur uatib in conuʒ ceʒna aét na fʒiʒit acuo iat o lo co hoitce;

and he shall not return the distress until he is tendered pledges. DISTRESS.
Or in 'Urradhus'-law, for every illegality which he shall commit respecting the distress until it (*the penalty*) comes to double, the distress shall remain in his hands, and he shall pay the 'eric'-fine for his illegality; but when it comes to double, he shall return the distress and pay the 'eric'-fine for his illegality; and hence is derived 'Fedhait' with the double in lawful repayment.

If it be the law agent whom the plaintiff brought with him to take the distress that has taken it unlawfully, whatever amount of illegality he has committed at a different time, he shall pay 'eric'-fine for every illegality which he has committed.

If it be the law agent that has brought with him another law agent who has distrained unlawfully, whatever amount of illegality he has done at the same time or at a different time, unless the law agent has been changed, he shall pay nothing but the 'eric'-fine of the greatest illegality which he has committed.

If both the plaintiff and the advocate have committed illegality in taking the distress, if both were cognizant of the illegality, or if neither of them was aware of it, they pay the fine for illegality equally between them.

If one of them knew of it, he shall pay for what he knew, and what he is ignorant of shall be paid equally between them; or the advocate alone shall pay it whenever neither of them is aware of it.

One-third of restitution *is incurred* for leaving the *distress* unprotected.

That is, one-third of restitution *is imposed* upon him; and it was not himself that had placed them in that bad place of defence, i.e. this third of restitution is due of every adult sane native in general of whom joint tillage and joint herding is due, for looking on at anything straying *without preventing it*, i.e. four-sevenths for a man, three-fifths for a cow, or three-fourths for a horse, i.e. for leaving them in a bad plight exposed to dogs or thieves; and it was not himself that left them thus exposed to thieves.

This is *in the case of* a native of whom joint tillage and joint herding is due, but the herding was not his *turn* that day, but if it were, restitution would be *due* from him.

As to all persons of whom neither joint-tillage nor joint-herding is due, either by day or by night, though the cattle should come to them, they are safe in sending them away by the same road, provided that they detain them not with them from day till night;

DISTRESS. ocuf da fuirgic, aicgin forruio ina cur uaitib i rin oioce; ocuf ma olegur comur ocuf comingaire dib, ir trian naicgina ina cur uaitib ir in lo, ocuf aicgin maf ir in oioce. Ocuf ni do fein raiuc in la rin; ocuf damuó do, ro buó aicgin comrlan ina cur uada cio a lo cio a noioce.

Mil acicthur a rochruib chuithe no fri bhuinne noioce, ocuf ir doig a muoó, aicgin for coonuch muna poire. Diam demin a muoó, ir cethruime oire la haicgin ar a fellceét gaire. Cio for bir cio for cuithe acceé ir eo in cetna fil fair muna be rgiath aza oitir; diambe, ir rlan do dia ruca i farc; ma deébir do cin farc ir rlan muna tairce. Ir aicghin dia tair a terypzuin. Ma cunnatabuir ir leé.

Trian naicgina ir in mil acicthur for rechran itir chomaithe muna hinnerur, ocuf taruét a terypzuin. Ma cunnatabuir ni tairced, ir feruó naicgina for coonuch innir.

Ma deébir gabur de, a innirir beor rganuú deabta, ocuf farcc fir muirir; no ricib deébir oileana ir lan dó, ocuf ni olegur de a poiricim im bunuo in mil.

Leé cach feé ro raioirumur for mac no ingin in aer ica leé oire, muna taircet no tairirer.

Aicgin for coonuch ma doig lair a duí amuá, ocuf ni fil in deébir; dia mbe in deébir, ir rlan do aét cu ro farc uó. Aicgin fair muna ro itir; dia mbeir iarain, ocuf ni fer in tairced cobuir, ir leé aicgina fair. Muna fer a duí amuá, ir trian naicgina for coonuch muna beire farcc. Ma ruca farc iarain, ocuf ni fer in tairruó cobuir, ir feruó naicgina. Ma bo eé, ocuf ir doig lair a duí amuá, ir leé aicghina muna beiruó a farc; dia mbeire ir rlan dó. Má iarain, ocuf ni fer in tairruó cobuir, ir cethruime naicgina. Muna ritir a duí amuá, ir feruó naicgina muna beire a farcc; ir rlan do dia

but should they detain them, they shall make restitution for sending DISTRESS. them away in the night; and if joint-tillage and joint-herding be due by them, they shall make one-third restitution for sending them away in the day, and *full* restitution if in the night. It was not the turn of him *who sent them away* that came on that day; but if it were his turn, there would be full restitution *incurred* for sending them away either in the day or in the night.

When a beast is seen near a pit or river at nightfall, if it be likely that it will be lost, a sane adult shall make restitution if he came not to relieve it. If it be certain that it would have been lost, it is one-fourth 'dire'-fine with restitution *that is incurred* for looking on as in a case of theft. Whether it is seen on the brink of a river or a pit the same fine is upon him if there be not a fence to protect it; if there be, he is free if he gives notice; if necessity prevented him he is safe for not noticing. It is a case of restitution if he could have saved it. If it be doubtful it is a case of one-half restitution.

One-third restitution is due for the beast which is seen straying among neighbours if *the fact* be not told, and that it (*the beast*) could be saved. If it be doubtful that it could be saved, there is one-sixth of restitution *imposed* upon the sane adult for it.

If moreover it be necessity that has prevented him *from giving the aid*, he should then tell of the sudden danger, and *give* notice to a man of the family; or generally if necessity prevents it he is safe, and he is not bound to give relief to the owner of the beast.

Half of every fine which we have mentioned *falls* upon the son or the daughter come to the age of paying half 'dire'-fine, if they have not given notice or saved.

The sane adult shall make restitution if he thinks that it (*the beast*) will be lost, and that no necessity exist; if there be necessity, he is safe provided that he gives notice. Restitution *falls* upon him if he knew it not; if he gives *the notice* afterwards, and it is not known whether he could give help, it is a case of half restitution from him. If it be not known that they (*the cattle*) would have been lost, it is one-third restitution upon the sane adult unless he gives the notice. If he gave the notice afterwards, and it is not known whether relief would be given, it is a case of one-sixth of restitution. If it be so, and that he thinks that they would be lost, it is a case of half restitution if he does not give the notice; if he gives the notice he is free. If afterwards, and it is not known whether he could have given relief, it is a case of one-fourth of restitution. If he does not know that they would be

DISTRESS. mbeirne. Ma ruc iarctain, ocuf ní fef in tairfud cobuir, íf aile
 dec aétgíma fair. Muna bepa eíur, ocuf ata in deóbair, ocuf
 ní fef in tairfíud cobuir, íf leé fíac for cach ae in uair rin.

In inbuid atcí in coónuch in inníle oca mbeiré do gatuib, nó
 aga marbad do conuib, nó aca mbaudo do fíethib nó in uiríib,
 íf cechnime díre fair in gac gne díb rin.

Ma iníocuf do caillib nó d' fíethib nó daíóib, íf aétgín fair.
 Ma for mepuáó a lo atchí, íf trían naétgíma fair. Ma mac
 inair ía leé díre, nó fef let chuinn ocuf leé cille atace, íf
 leé cachai raimne díub fo fair, .i. oétmuo díre, ocuf leé aétgín,
 ocuf fíeríud naétgíma. Ocuf íur comaithe ata in fíic fo, ocuf
 cin deóbair amuig nó éall iníro. Cía beé deóbair éall, muna
 beé amuig, ní díne ní de beor. Cíó deóbair amuig doño, muna
 deóbair éall, ní díne ní de beor, ma díó a róctuin cin muíud.
 Ma cunnatubairt lair iníuríro, íf leé gacha raimne ró ríatúr
 fair. Ma deóbair amuic ocuf éall, íf oí rlan in gac gne díb,
 fo uile.

Tarf do mna nó do maic; ach ecumung iníro uile.

.1. a iníurín do mnaí nó do mac ífed ólegur an inbuid nar
 caemnuíur tararíuin. Íf ann íf lan díb aníurín. Nó muna
 caemnaíur teparígan nó iníurín íf rlan díb a céctur de, .i.
 a fíacru do céctur de, ní ólegur naill díb, ar íf dícuníic díb
 naill act tarca.

Íf ann ata in tarf in tan bír in tecumung; muna e in
 tecumung ní cobuir in tarf. Díá té amuía in íet, leé in trían
 for in mnaí nó for in mac muna beíur in tarf.

Oeth la cach neíic neíic ná noí, .i. neé díá mbí loí eníic díá

¹ These.—In the margin of the MS. is found, "S.L.C.F. dixit hoc."

² Notice.—In the margin of the MS. the letters S.D. are found here.

³ An oath. In C. 2010 the following passage occurs, which throws some light
 upon this rule:—

"Oí aét fíu hoí eíric, .i. roíul aóamthar íuní ocuf aóbeir in tí for
 a nóernáó for fíacá uáó ní íf mó ína in ní aóamtar, ocuf cíó beac
 aóamtar de íf fíur ínó fon roíul acurthar aní."

Full oath for full eric, i.e. trespass is acknowledged here, and the person upon

lost, it is *a case of* one-sixth of restitution if he does not give the notice; if he does, he is free. If he gave it afterwards, and it was not known whether he could have given assistance, it is one-twelfth of restitution *that falls* upon him. If he does not give it at all, and no necessity exists, and it is not known whether he could have given assistance, there is half fine upon every one in such a case.

When the sane adult sees the cattle being carried off by thieves, or being killed by dogs, or being drowned in sloughs or in waters, it is one-fourth 'dire'-fine *that falls* upon him in every case of these.¹

If it be near woods or quagmires or fords *he has seen the cattle*, it is *full* restitution that is incurred by him. If he has seen them straying in the day, it is one-third of restitution he incurs. If he be a son at the age of paying half 'dire'-fine, or a man of half sense or half reason that has seen them, it is one-half of each of these *fin*es that falls upon him, i.e. one-eighth of 'dire'-fine, and half restitution, and one-sixth restitution. This case is between neighbours, and no necessity exists on the plaintiff^a or defendant.^b If there be necessity ^{a Ir. With-} on the defendant, unless it be on the plaintiff, it does not protect ^{out.} ^{b Ir. Within.} (the defendant) from it (the penalty). And if there be necessity on the plaintiff, unless it be on the defendant, it does not protect the plaintiff from any of it (the penalty) either, if it be thought by him that it (the distress) would pass without being lost. But if he deems it doubtful, the one-half of each fine which we have mentioned falls upon him. If there be necessity on both plaintiff and defendant, there is perfect safety in every one of these cases.

Notice by the wife or the son; but all these *regulations* are in cases of inability.

That is, the wife or the son is bound to give the notice when they are not able to save. This *giving of notice* exempts them. Or if they are not able to save or tell, they are safe from both, i.e. notice is to be given by either of them, no more is required of them, for they are incapable of aught else save only to give notice.²

The notice holds *good* when the person *by whom it is given* is incompetent to save; if he be competent to save, the notice is of no avail. If the 'sed' has been lost, half the third *shall be the fine* upon the woman or upon the boy, if they have not given the notice.

An oath³ for every full 'eric,' i.e. one who has honor-price shall

whom it is committed asserts that more was taken from him than what is acknowledged, and though what is acknowledged be ever so small there must be proof of the amount of the trespass claimed.

DISTRESS. Լսճա Ինձ յաճճ քօ մեծ նա քիւտ ետք Ինձ յիշեր առ. Ին յան Իք
 Լեծ աճցին քօր Ին Եօնուտ, Իք անօջ Ին էրիւ, սար Իք Եստեպարտ
 Ին Եարքարտ, Իք արե Իք անօջ. Եստե անօ Իք օջ Եք Եձ յեծեր
 անուճ, սար Ինստ յեծեր քօբեր աճցին Եձ Եստ Եստեպարտ
 Եձ.

Ահտ Եձ քօլլար քօ քք Եստե քօ անետե Իք
 քարկկար.

.1. Ծօ ցնիտ քիւտ Եձ քօլլար Եստե Եստե Ին իձ յեծեր,
 .1. օ Եք քօլլար Ծօ քիւտ Ին Եստ Եստ Եձ Ին Եձ Եստ
 Եստ քօ, .1. Եստե Ե քարկկարտ օ նա քիւտ Եստ Եստ
 Եձ յեծեր.

Քօլլար Եք Եստ : քարկ Ե քարկարտ Ե քօլլար.

.1. Ե Եստ քօ Եձ օ Եստե քօլլար քարկար Եք, .1. Ին
 աճցին Եք Ին քօլլար, Իք Եք Եստե Եձ աճցին Ին Եստ Եք
 քարկար Եձ Եստ, .1. Եստ Եստ քարկար Եստ, .1. աճցին
 Եստ Եձ քօ Եստե քօլլար, Եք Իք Եստե քօլլար,
 Եք Եք Եստ քօլլար, .1. Եստե քօլլար, Եք Եստ, Եք
 Եստ Եստե քօլլար Եստե քօլլար, Եք Եստ Եստե քօլլար,
 Եստ Եստե քօլլար Եստ.

Եստ քօլլար Եձ Եձ քօլլար Եք Եստե, Եձ
 Եձ քարկար Եձ քօլլար.

.1. Եստ քօլլար Ին Եստ քօլլար Եստ Եստե քօլլար, Եստ
 քօլլար, .1. Եստե քօլլար Եստ, Եձ Եստե քօլլար Եստ
 Եստ քօլլար քօ քօ քօլլար Եստ, քօ Եստ քօլլար.

.1. Եձ Եստ Եստ քօլլար Եձ քօլլար Եձ քօլլար Եձ քօլլար.

swear after him according to the amount of the debts which is to be deducted. When it is half restitution *that is incurred* by the sane adult, the 'eric'-fine is not full, for it is doubtful whether he could have saved *the beast*, and this is the reason why it is not full 'eric'-fine. It is a case of full 'eric'-fine when there is necessity on the plaintiff,^a for if there was not necessity he would obtain restitution though there should be uncertainty with the defendant.^b

DISTRESS.

^a Ir. *Without.*

^b Ir. *Within.*

Except where innocence or guilt is clear by desert according to evidence of witnesses.

That is, the witnesses clearly prove *the truth*, i.e. that he is innocent with respect to these necessities, i.e. when it is evident to the witnesses there is no one with honor-price then required to swear, i.e. when it is proved by the witnesses that the necessity was real and not pretended.

Distraining beyond justice : restitution with defect of profits.

That is, out of a cattle-shed at the 'lis'-fort from a defendant notwithstanding the offer of justice, i.e. the restitution with the profits, the defect of the restitution is the milk and the work of the cattle, i.e. this was for the person's own debt, i.e. restitution is taken from the debtor or unlawful person, and it is from the debtor *himself*, not from his kinsman, that it is taken, and infants take it, i.e. double of the work, and of the milk, and of whatever part of the distress is injured, is required as the severity of the law against the debtor in the first instance, the leniency requires restitution only.

With payment for the work of all who prevent the infants, and for every accusation that is preferred against them.

That is, with wages for the services of those who went out and prevented the infants, i.e. restitution for their work, i.e. a 'screpall' for every freeman, or half a 'screpall' for every one not having freedom ; and it shall extend to the amount paid for levying, according to the nature of the territory.

That is to say, whoever is pursued and overtaken it is he that

DISTRESS. ʒaib̃t̃ur athgabail, no ʒ e icur rin, no ʒ ʒur ʒct̃hur, .i. ʒer in mbiuob̃ur̃, .i. athcur ʒil ʒunn ʒor na boethuib̃, cu tap̃t̃ũo athap̃ũo oc̃ur ath-toich̃e, oc̃ur ni uilur uaĩt̃ib̃ an athgabail cin cu ʒaib̃it̃ ũl̃ʒit̃. Mara mac i naer ʒu aʒʒina do ʒinne in ʒoxul tap̃ cept̃, aʒʒin lãt̃a na haʒgabala oc̃ur ʒnim̃ũĩo in lõt̃a ʒo tap̃m̃ĩʒ aʒ ũl̃ iña ũeʒũo amach, oc̃ur aʒic na haʒgabala amuĩʒ. Mara mac in aʒ ʒa let ũĩe do ʒinne in ʒoxul tap̃ cept̃, aʒʒin lãt̃a oc̃ur ʒnim̃ũĩo na haʒgabala ũão, oc̃ur aʒʒin ʒnim̃ũĩo in lõt̃a ʒo tap̃m̃eʒ iña ũiaʒ amach, oc̃ur aʒic na haʒgabala amuĩʒ; oc̃ur let ʒãa heʒcu ʒur coonach. Mara coonac do ʒinne in ʒoxul tap̃ cept̃, cĩo a ũĩʒ in bĩob̃ũĩo, cĩo ap̃ conũĩr, cĩo ʒia nap̃ũo, cĩo ʒia t̃poʒcũo, cĩo ãũĩo in t̃poʒce, cĩo ʒap̃ nap̃ũo, cĩo ʒap̃ t̃poʒcũo, aʒʒin lãt̃a oc̃ur ʒnim̃ũĩo na haʒgabala ũão, oc̃ur oth̃ur cach ʒeoĩt̃ bũĩt̃ur cup̃ub̃ ʒlan, oc̃ur ʒẽt̃ ap̃ ʒon aʒʒina lãt̃a no ʒnim̃ũĩo na haʒgabala c̃ẽn bẽt̃ur oca leʒiur cup̃ub̃ ʒlan; oc̃ur cuic ʒeoĩt̃ oc̃ur ũiãlão in ʒãc ʒẽt̃ m̃aĩũĩr, oc̃ur ceth̃ũĩo in ʒãc ʒẽt̃ na m̃aĩũĩnn, oc̃ur noch̃a ʒũil̃ enecluño ʒ in b̃põxul tap̃ cept̃.

Ma thap̃ʒur ũl̃ʒĩũo do ãũĩo in t̃poʒce ãa ũĩʒĩ a ʒiãch ũão a t̃poʒcũo tap̃ ũl̃ʒẽo, oc̃ur eip̃ic ʒoxul̃ tap̃ cept̃. Mar ʒia nap̃ũo oc̃ur ʒia t̃poʒcũo do ʒinne in ʒoxul̃ tap̃ cept̃, no cĩo ʒap̃ nap̃ũo oc̃ur ʒap̃ t̃poʒcũo, mar ʒiaʒ in t̃peʒi im̃ceim̃ĩʒẽ, cĩo bẽo de bũĩr mo, ũĩʒĩ cach̃a athgabala iña hiñũl̃ʒẽo aʒgabala do eclũĩr, cu ʒuice uech̃ m̃bu no uech̃ ʒẽt̃u, no ũĩʒĩ lẽt̃i ʒacha athgabala in hiñũl̃ʒẽo athgabala do tũãu, co ʒuice cuic ba no cuic ʒẽt̃u; no eip̃ic ʒoxul̃ tap̃ cept̃ cup̃uib̃ ẽo beʒ ũão.

ʒiãbl̃ũo tap̃ic do athgabail inbleoʒuin o baethuib̃.

.i. ʒ ẽ ũiãbl̃ũo ʒũil̃ ann aʒʒin lãt̃a oc̃ur ʒnim̃ũĩo ʒẽ taeb
C. 2713. [aʒʒina na haʒgabala] .i. ũiãbl̃ũo naʒʒina ũile do inbleoʒuin
a t̃pom, in c̃ẽt̃na ʒẽẽt̃. Ã t̃pom ʒ iñunn oc̃ur t̃pum ciñũĩʒ in

shall be distrained, or shall pay this to them, or the person to whom DISTRESS.
 he shall pay it is the defendant, i.e. there is a return to be made of —
the distress here by infants, until they give a second notice and make
 a second suing, and the distress is not forfeited by them although
 they have not taken it lawfully. If it be a son at the age of paying
 restitution that has made the seizure unjustly, he shall make resti-
 tution for the milk of the distrained cattle and pay for the work of
 the people who went out after him to prevent him, and also restore
 the distress. If it be a son at the age of paying half 'dire'-fine
 who has made the seizure unjustly, he shall make restitution of the
 milk and pay for the work of the distrained cattle, and for the work
 of those who went out in pursuit of it, and restore the distress to the
 claimant;^a and the sensible adult pays half of each 'eric'-fine. If it "Ir. without.
 be a sensible adult that has made the seizure unjustly, whether at
 the house of the defendant or on the road, either before notice, before
 fasting, or the night of the fasting, or after notice or fasting, he
 shall make restitution of the milk and pay for the work of the dis-
 trained cattle, and he shall tend each beast that has been hurt until
 it is well, and a 'sed' shall be given for restitution of the milk or
 labour of the distress as long as it is under cure until it is well;
 and five 'seds' and double *restitution* for every 'sed' that lives, and
 fourfold *restitution* for every 'sed' that does not live, and there is no
 honor-price for the unjust seizure.

If law be offered to him on the night of the fasting he forfeits his
 debts *due to him* for fasting beyond *what is required by law*, and pays
 'eric'-fine for unjust seizure. If the unjust seizure had been made
 before notice and fasting, or after notice and fasting, if before the
 three days of grace, the penalty shall be whichever of the two fol-
 lowing is greater, viz., the forfeiture of the distress for the illegal
 taking thereof to the church, until it amount to ten cows or ten
 'seds,' or the forfeiture of half the distress for the unlawful taking
 thereof to a layman, until it amount to five cows or five 'seds,' or
 else the 'eric'-fine for unjust seizure.

Double restitution of the distress of the kinsman
 to be made by the infants.

That is, the double which is for it is restitution for the milk and
 the work besides restitution of the distress, i.e. double of all the
 restitution to the kinsman-surety is the severity of it, in the first
 instance. The leniency of it is the same as the severity of the

DISTRESS. cétna féet, amuís atrubairtumar .i. tairiuc do inbleoguin in athgabail ó baéuib, in diabluó ro rairiur do chintac.

Trí eirócuir inbleoguin, diabluó laéta, ocuī diabluó ngnim-ruiró, ocuī diabluó aneé ro bunnatur; ocuī diabluó i nech ír luí in cétna féet, a cuirumur rin in féet tanuiri ocuī leé cuic reoit, a cuirumur rin in tref féet ocuī cuic reoit.

Ció ro deira nach ro imeomur éinuíg ocuī airi ríaghuilteir ro? Nín. Eiriciurtur, ocuī ír eó ro deira in trefceartur uair ír co-
naisge doib acruó do dénum ocuī inbúigeo do dénum oc in agria rin ina cin ropuio.

Ció ro deira cunúó mó ícuir ffrí hinbleoguin inaf ffrí cintach? Nín. Ír coonaisge doib acra do dénum for in ti na deirna cin ffríu inaf for in ti do roine, ocuī ar inhrucur inbleoguin im cinuíg nech aile.

1 trefíde mna mic; ina céit cinuíg doib inn rin dian
céruib athgabala inn rin. Leth trefe nairib máto alá
reacht iar mbrethuib forru co tairiuc inhruc cach ae,
C. 2713. [.i. iair lacht ocuī gnuirairth ocuī colainn.]

1 trefíde mna mic, .i. inaf íca aégin, .i. ar aóa aégabala orruó inn rin, no ír cet cin cupéa, uair ír co o— do gabail athgabala in cach cin éana, .i. ír do na nechib ír mó ír anfir, no ír anéar anirín imin ngabáil aith no aóa, maó é in taria reacht iar mbreith breíde orru. Cach athgabail inhréa in baile nair dleét acht ma aégin oib, leé trefe la aégin do beé ann; no dono ír do na nechib ír mó ír anéar im in athgabail leé trefe orruó inaf cupéa oá tucta, ocuī noch a tabuithur in baile a ráct cupuó no beé gan bia la cupa leé trefe do beé air ann.

¹ *Competent.* The corresponding word in the MS. was not lengthened out by Dr. O'Donovan. Probably 'codnacha,' competent was intended.

² *For it.* In the margin here there is an observation—ní maíó iní orí gnaíó reine do bí orru in feo rin, "it was not a good order of the Feini grade they had over them at that time." In C. 2366 the various punishments and penalties of children of various ages are laid down. It is stated among various other maxims and rules that when boys have attained the age of paying restitution, their age is

debtor in the first instance, as we have said, i.e. restitution is to be made to the kinsman-surety of the distress by the infants, the double which I have mentioned to the debtor. DISTRESS.

The three severities, *i.e. severe penalties imposed by the law in favour* of the kinsman-surety, double of milk, and double of work, and double of the thing which is injured; with the double of the thing which is a 'lui' on the first occasion, the equal of it and half five 'seds' on the second occasion, the equal of it and five 'seds' on the third occasion.

What is the reason that this is not regulated according to crime and age? Answer. It is an exception, and the reason that this exception is made is because they are more *in the position of* the sensible adult to institute a suit and be guilty of illegality in that suit than *in the case of* the crime of assault.

What is the reason that they pay more to the kinsman-surety than to the debtor *himself*? Answer. *Because* they are more *in the position of* the sensible adult to institute a suit against the person who has committed no crime against them than against the person who has, and on account of the guiltlessness of the kinsman-surety of the crime of another person.

These are women *and* boys; this is *the penalty* upon them for their first crime in the difficulties of distress. Half 'dire'-fine upon them if for the second time after judgment having been passed upon them, with perfect restitution of every thing, i.e. both milk and work and body.

These are women and boys, i.e. boys at the age of paying restitution, i.e. they are then subject to the conditions of distress, or it is the first crime that incurs castigation, for they are already competent¹ to take distress for every liability, i.e. this is among the things least understood, or most difficult respecting the quick or legal seizure, if it has been done the second time after judgment had been passed upon them. For every distress that is put up where only restitution was required of them, there shall be half 'dire'-fine with restitution *for the second offence*; or *indeed* among the most difficult things respecting the distress is this that half 'dire'-fine should be upon them at the age of punishment, if it be inflicted, and *even if* it is not inflicted where it is incurred, or *even if* he is to be without food and with castigation, *still* half 'dire'-fine is to be upon him for it.²

no longer taken into consideration with regard to crimes, that during the stage of their lives from one till seven they were to be punished by castigation, withholding of food with castigation, and restitution.

If the plaintiff carried with him in going to take the distress the intention of taking it unlawfully, whatever amount of illegality he had committed on a different occasion, he shall pay 'eric'-fine for every illegality which he has committed. DISTRESS.
—

If he carried with him the intention of taking it legally, whatever amount of illegality he has committed either at the same time or at a different time, unless he changed his intention, he shall pay but 'eric'-fine for the greatest of the illegalities which he has committed.

If both the plaintiff and the advocate have committed illegality respecting the distress, if both of them knew of the illegality, or neither of them knew of it, they shall pay the fine for illegality between them.

Double restitution of the thing which was injured.

That is, as much more with it; a 'sed' for the sake of restitution of the milk and work, while *the injured* 'seds' are under cure, i.e. to the debtor and to the kinsman-surety; there is complete double *restitution* for the third offence to be made by one who is a sensible adult, for *the distress was made* notwithstanding the offer of justice by them both, i.e. perfect restitution to be paid *by the sensible adult* of the part of the restitution which is injured, i.e. for the double 'seds,' whether they survived themselves or did not survive, i.e. as much more along with the restitution is the 'dire'-fine which is due for injuring the distress, or for over-driving it, or double *restitution* if the person from whom the distress was taken fasts completely,¹ i.e. as much more with the injured cow, and a cow with the milch cow, or perfect ones *for the injured*, or the injured to the debtor and the live cattle to the kinsman-surety. Or indeed double means a perfect 'sed' by way of restitution of the milk or work of the injured beast while the injured beast is under cure.

With a 'sed' in addition to every 'sed' that survives perfect.

That is, with one 'sed' upon another, i.e. a cow along with every cow that survives perfect, i.e. for the quadrupled cows when they themselves survive, i.e. an equal number along with them.

That survives perfect, i.e. such of them as survive safe and sound, corresponding with restitution of work and milk and body.

DISTRESS.

Cáic feoirt in main a cinair̃ gac̃ rochuinn gaibiuṛ tar ceapṛ no ṽligeṽ. Nach rochuinn do fuir̃e ecunn do athgabail iṛ fair̃ a cinṽer̃in.

Cáic feoirt, .i. cáic feoirt iṛ na mainib̃ riñ ó cach deoconuē do roime in cin. Mara coonuē gabur̃ in aṽgabail tar ceṛṛ iṛ eutṛuma na haṽ-gabala uar̃a ocuṛ cuic feoirt ocuṛ aṽchur̃ amuil̃ aṽbér̃ a mbreṽuib̃ neime; no iṛ co tarṛoat̃ aṽ apuṽ nama .i. in athgabail̃ mbleoṽuiñ diaṽluṽ uile, no iṛ ṽib̃ anoir̃, ocuṛ iṛ na hiṽ réṽuib̃ aṽa leṽ apuṽ .i. eṽir̃ ina cáic ocuṛ a ṽr̃í. Tar ceapṛ no ṽligeṽ, .i. in riachuib̃ cinntacha, .i. in ecinn-tach. Nach rochuinn do fuir̃e ecunn, .i. nach deaṽ coonuch fuir̃iuṛ in t-éconuch do gaṽail̃ aṽgabala, cuic feoirt ap̃ in coonuch ap̃ a fuir̃e nama, cin co deṛina inṽligeṽ r̃ia. Ocuṛ dia nṽeap̃na, iṛ aic on coonuch amuil̃ biṽ é feiñ do gnech; no iṛ aṽgin on coonuch caṽ nech bṛiuṛ don athgabail̃ ocuṛ cu na biṽ r̃maṽt fair̃ eṽir̃ iṛ in inṽligeṽ do ṽéna in t-éconuch iap̃tain .i. iṛ fair̃ a cin do nī riñ for̃ in coonuch cin an inṽ-ṽig̃iṽ do nī inṽ econuch.

Maré in coonuch no fuir̃uṛtar̃ inṽ econuch do gabail̃ nahath-gabala, mapeṽ a ṽubiuṛt̃ r̃eṛ a gaṽail̃ cu hinṽoliṽtach, no ma no bí a tuic̃i cumar̃o cu hinṽoliṽt̃eṽ do gebeṽ inṽ econuch feiñ in athgabail̃ iṛ tiaṽtuiñ ro lan in coonuiṽ anṽ.

Mapo a ṽubiuṛt̃ r̃eṛ a gaṽail̃ cu ṽliṽt̃eṽ, no mar̃o no bia tuic̃i cumuṽo co ṽliṽtach no gebeṽ inṽ econuch feiñ, iṛ tiaṽtuiñ ro lan in econuiṽ ann.

C. 2714. [Nach airliṛi a mbriṽh athgabail̃ do na ṽamhṽhar̃ ṽliṽi nī ṽleṽhar̃ de ṽipe];—ap̃ uṛ meṛle cach nin-ṽliṽiuṽ.

.i. ap̃ iṛ in airle don cach do nī inṽoliṽiuṽ gaṽail̃ inṽe tar gealluib̃, no don ti fuat̃uṛ hí gan gealluib̃ gan airṽe, no iṛ amuil̃ meṛle r̃eap̃ na hairliṛi muna timṽeṽe ceṛṛ for̃ r̃echuimuiñ.

C. 2714, 2715. [Ma ro gabuṛtar̃ r̃eṛ na hairliṛe do laim o r̃eṽemaiñ tobaṽṽ geall ocuṛ airṽeṽo do gabail̃ ó biuṽa, ocuṛ nṽr̃ gaṽa uar̃a; aṽt

¹ *Bretha Neime*. This is quoted in *Senchus Mor*, vol. i., p. 113, as *Bretha Neimhedh*. It is a law tract given in O'D., 2189, *et seq.*, which treats of the law of persons of distinction.

Five 'seds' is the fine for the crime of every man of sound mind who distrains unjustly or contrary to law. Every person of sound mind who sends an imbecile to distrain shall be accountable for his offence. DISTRRESS.

Five 'seds,' i.e. five 'seds' of these cattle *shall be paid* by every sane adult who committed the offence. If it be a sane adult that has taken the distress unjustly he shall pay the equivalent of the distress and five 'seds,' and return *the distress* as is stated in the 'Bretha Neime';¹ or it is only on his giving of the second notice *that he is bound to return the distress*, i.e. for the distress of the kinsman-surety there is double *restitution* of all, or it is from them both, and in the 'seds' which are unequal, i.e. between the five and three. Unjustly, or contrary to law, i.e. respecting ascertained debts, i.e. *as distinguished from those which are not ascertained*. Every man of sound mind who sends an imbecile, i.e. every sane adult who sends an imbecile to take a distress is subject to a penalty of five 'seds' for the mere sending of him, even if he has not committed illegality in taking it. If he does, it shall be paid by the sane adult just as if he himself had done it; or the sane adult shall make restitution for whatever part of the distress is injured, after which there shall be no 'smacht'-fine upon him² at all for the illegality which the imbecile shall commit, i.e. it is for his crime of abetting this is imposed on the sane adult, i.e. the crime of illegality which the imbecile commits.

If it is the sane adult that sent the imbecile to take the distress, and if he told him to take it illegally, or if he understood that the imbecile himself of *his own* accord would take the distress illegally, *the sane adult* shall come under full penalty of a sane adult for it.

If he told him to take it legally, or if he understood that the imbecile himself would take it legally, he shall come under the full penalty of an imbecile.

Every 'arlis'-enclosure in which a distress is *detained*, to which its due of law has not been given, is not entitled to 'dire'-fine; for every illegality is as theft.

That is, because it is ill advice for every one to commit illegality in taking it notwithstanding *the offer of* pledges, or for the person who carries it off without pledges or security, or the owner of the 'arlis'-enclosure is like a thief if he renders not justice to the suitor.

That is, if the owner of the 'arlis'-enclosure has undertaken on behalf of the plaintiff to receive a pledge and security from the

² Upon him. In margin here, no 70 beð a 70ep 70eabur e7e, "or if there be another book says."

DISTRESS. ma ro ernuig in biuba re toichiuo noliǵti, ir cuic reoit ocuŕ enecclann ocuŕ dublad fial, ocuŕ dublad mbir, ocuŕ fechtmao maŕbta. Ocuŕ mana ro eirniǵ in biuba re toichiuo noliǵti iŕlan do atgabail do bŕeit lair. Ir a tó ninnohǵi adaiǵ anaiǵi.

Manar gab ŕer na hairliŕi do laim zella ocuŕ airǵeo do gabail o biuba, iŕlan do biuba atgabail do bŕeit leŕ cin ní do ocuŕ cin ní uada.]

Ilmuine ana aigŕ nimorpuonað cin ŕuiruuch iar ŕuir, cin polluza do neétur dalina.

Ilmuine .i. iŕlan don ti ro gab in imŕaichne in athgabáil ŕunn, uair ni neime cethra ro gabað in athgabáil .i. ir wilmuin doŕum na hiana innŕuigŕ i nempurpuunn na haethgabála, no ir wilmuin i neimurpuunn ŕaigŕ inoŕguir na hana na haethgabála. Cin ŕuiruuch iar ŕuir .i. cin ŕuiruuch don ti ro gabað in athgabáil, iar mbet a ŕera aice na himurpuada. Cin polluza .i. in tiaeéuin ara ceann .i. in taria ŕear do bŕet a ŕarcc, ocuŕ in ŕear eile tã ŕuarlucað .i. no cio beað tã polluigŕir ir ŕiachuch.

Mã ŕechium polluigŕ, ir é icuŕ ŕogelta ocuŕ ni ŕitir in tí irã hinnile. Maia ŕerur ŕiœ, ocuŕ ni ŕitir ŕechium ir e icuŕ ŕogelta. Mã ŕir doib anoir, icuit ŕogelta anoir ŕri ŕaithe naile, ocuŕ nirtã ni mã ina ŕaitheœ ŕéin.

In ŕann tic inoŕguir na haethgabála, mã in ŕer ir a ŕet polluigŕ, leð na cuic ŕet ŕair ocuŕ ŕogelta, no ir ŕoigealta nama. Mã in ŕear rodo nuŕ polluigŕ iar na ŕir cin a bŕeit ŕor cuŕu uada, leð dono na cáic ŕet ŕair. Mã ŕir doib tãilnuib ni hicuŕ ni ann.

In imurpuuir tainic inoŕguir na haethgabála amach, mat chuinnuic in ŕechium toichetã hí, máŕ ar in conuŕ do cunduic hí irã mbet amuil in ŕechium ŕirite iao. Mã ŕanŕutur leŕ co ŕuice a teach iŕeo tleŕur tã a coimeo, ocuŕ a ŕarŕ do bŕeit. Ocuŕ

¹ *That follow.* In the MS. an aliter spelling of the word in the original is also given "nempurpuum."

defendant, and they have not been accepted of from him; but if the defendant has waited for lawful seizure, *the penalty* shall be five 'seds' and honor-price, and double debt and double food, and the seventh of what was killed *upon the owner of the enclosure*. But if the defendant has not waited for legal recapture of the distress *the other* is safe in taking his distress away with him. There are two illegalities face to face (*balanced against each other*).

If the owner of the 'arlis'-enclosure did not undertake to receive pledges and security from the defendant, the defendant is safe in taking away his distress without anything to be paid to him or by him.

The excess is pardonable when not detained after knowledge had, or neglected by either party.

Pardonable, i.e. it is safe for the person who took the cattle that followed in distress here, for it is not exempt cattle that were distrained, i.e. he is not accountable for any number of cattle that follow¹ the distress, or he is not amenable for the excess that follows after the driving of the distress. When not detained after knowledge had, i.e. not detained by the person who took the distress, after he had known of the excess. Or neglected, i.e. as to coming to meet it, i.e. to mind it, i.e. the one man to give notice of it, and the other to redeem it, i.e. or whichever of them neglects is amenable.

If it be the plaintiff that neglects, it is he that shall pay for the *expense of feeding* when the owner of the cattle is not aware of it. If he, i.e. *the latter*, is aware of it, and that the plaintiff is not, it is he that shall pay for the *expense of feeding*. If both knew of it, both shall pay for the *expense of feeding* in another man's green, but there is nothing to be paid if in their own green.

As to the part of the cattle which come out after the distress, if it be the man whose cattle they are that neglects them, he shall pay half the five 'seds,' and for the *expense of feeding*, or for the *expense of feeding only*. If it be the man who carried them out that has neglected, after knowing that they were not brought back from him, half the five 'seds' shall be upon him. If both knew of it, nothing shall be paid for it.

As to the excess which came out after the distress, if the plaintiff has seen it, if he has seen it upon the road, it shall be as 'Sechium sirite.' If they came with him as far as his house he is bound to mind them, and give notice of them. There is nothing due to the



DISTRESS. nochá nfuil ní do cinntach i neam mbreith an fairc, acht ní tét fogelt ná bleit ina lobad ina ceann no cu ructhur a fairc. Ocur atait cuic feoit do imbleoḡuin i neim mbreit in fairc, ocur nochá tét fogelt rl. Ocur ó beirtur a fairc fogelt ocur bleit do ricti ríá i coimreim rir in athgabáil, ocur lobud do dul ma ceann iar noul ná haḡabála a lobud; ocur nochá nfuil anad ná rictim do ríagáil uirre iar rin. No donno cuna beit éric do chinnad ná imbleoḡuin i neammbreith a fairc, aet ní tet fogelt ná bleit ina ceann no cu ructhur a fairc.

Coimḡire gach naer i fogelta.

.1. ír common íní ír rir i cin in míl bic ocur in míl moir a nḡlet in feoir og, inoaité inoḡiró ar in tuine nach deachuid ḡruarlucud a athgabála. Cunu curuma rictiur fogelt air i cinuid míl bic ocur míl móir; no daithe a inoḡiró ar in comaithe nar coimed a innele ar fearunn a comuḡitḡ, cunu curuma ata ríadé air i cinuḡ míl bḡ ocur míl moir.

Caité deḡbir eturruó rin ocur in baile ata ír in inao aile cun nḡealut da darpuid rri ro dam, ocur cunḡealut da darpuid ricti ro dam? Im comhairium a rir noibuid ata ríde ocur im coimecáir a fearunn adur ocur ríenathur rínn; imurro im comaitcear ocur im athgabáil ata annro.

Cunḡeling in rri ríacuil.

.1. comḡeltur éric ror inḡelt im míl mbic amuil eric ríacuil in míl moir. Róadéar bec i mbecuib .i. ma luga inait ná ríct naomunna coir cemud luga in da míach.

¹ *At the same rate as with the distress.* Dr. O'Donovan gives the following explanation of the matter here referred to:—"If after the plaintiff has legally taken and driven out a distress to the full amount of his claim, other cattle follow the distress, having passed over the fences (without any fault of the distrainer, who had closed the gates and had left no gap in the fence), and came after the other cattle as far as the house of the party distraining, then the party distraining might keep them as a part of his distress, but he should feed and tend them as well as the cattle which he had legally distrained, and also send notice to the defendant that such

debtor for the non-giving of the notice, but neither *expense of feeding*, nor of tending, nor forfeiture shall accumulate upon it until the notice is given. There are five 'seds' due to the kinsman-surety for the non-giving of the notice, and neither *expense of feeding*, &c., shall accumulate. But from the time that the notice is given *expense of feeding* and tending shall accumulate at the same rate as with the distress,¹ and forfeiture shall be added to it when the distress shall become subject to forfeiture; and there is neither stay nor delay in pound to regulate it afterwards. Or, *according to others*, there is no 'eric'-fine due either to the debtor or the kinsman-surety for the non-giving of the notice, but neither *expense of feeding* nor tending shall accumulate upon it until the notice is given.

There is equal 'dire'-fine upon *cattle of every age in the expense of feeding*.

That is, what is due for the damage of the small beast and of the large beast in feeding on the grass is equal, in revenging his illegality upon the person who did not come to redeem his distress. The feeding of the small beast shall amount to the same sum as that of the large beast; or to revenge his illegality upon the neighbour who has not kept his cattle from the land of his neighbour, for which he pays equal 'smacht'-fine for the trespass of the small beast and the large beast.

What is the difference between this and the other case where it is stated that two 'dartaídh'-heifers graze as much as a great ox, and that two 'dartaídh'-heifers graze more than the great ox? In that case it relates to the calculation of the hereditary property and the arrangements of the lands of father and grandfather; but here it relates to co-occupancy and distress.

Equal fine for the damage by every beast in grazing.^a

That is, equal 'eric'-fine² is exacted for *damage in grazing* in the case of the small beast as for *damage in grazing* of the large beast. Small is distinguished in the case of small *animals*, i.e. if less than the seven 'nadmunna'-beasts, it is right that the two sacks should be less.

cattle had followed him, and were in the pound along with the legal distress. The owner of the cattle might then redeem them at once; but if he neglected to do so, they remained as a part of the distress until the time of forfeiture arrived, when they were sold to pay the debt, and the price of fodder and attendance."

^a 'Eric'-fine. In the original MS. "eric" has a stroke under it, which in the MS. is also placed under words obviously repeated by the mistake of the scribe.

DISTRESS.

^a Ir. Every tooth.

DISTRESS.

C. 2716. [Fíachach gach pulladh do cechtar dalna 7rl.]
nach díma dechbír.

.1. muna roib dechbírur turbuid oca eimoidin in bídubuid, ír ann atait na neche rin do rith ríer in athgabail, uair da roib turbuid air nochá rochara fogelt na blet ina lobuid i ceann athgabala. Míach ar gac naen anmann do innile cinntuis ocúr athlumpuire dī. Míach ar ríet n anmunna do innilíb inbleoguin ocúr rinne ríoir roib. In luaš rir fognuma, nochá nruil dechbír chintuis ná inbleoguin uime ríde, áct mar ealaonuc ro buí oca coimeo rígrepuil do ar láithe aicenta. Mar ainealaonuc ro buí aša coimeo nogl no gébinn ír let rígrepuil do ar gac láithe aicenta.

Ácht arpuig fogelt ro míad nairme ocúr ríe.

.1. ácht tairpíg fogelt ocúr blet, ocúr lobuid do dūl ina ceann ro uairliatuig .1. ro met ná hairme, ocúr ríon comut ríe ro buí amuis hí turbuid rin táinuc i nairpír lobta ocúr ríeruid ar lobuid hí, ocúr nochá ríerunn ar fogelt, nach ar blet, ocúr iní nach rachuid a lobuid do dūl a corpuib fíach.

[S]aibuid baetha cachta indligerd.

.1. ír tairbír bairí don rir cachtur in athgabail dia tairrter gaila ocúr etíre do.

Cetharda ríur gairuid a cethirpíet .1. da ríorūl ocúr da ríorngabail .1. diaibuid ná hachgabala ná ríorūl cīd amuis cīd anall tar ceart, ocúr ír inunn do cēctur de i ríorngabail dia ríale um ná cuic rítuib.

Mar aša ríorūl beoin ro gaburtur in ríechum toichea in in athgabail tar gailuib ocúr tar airgib, ír cuic ríorūl ocúr diaibuid uad. Mar ar conuir ro gabad uimuid ír cuic ríorūl ocúr diaibuid uad, ocúr ina ruc lér tairpír ír eric ríorūl tar ceart.

¹ *Forfeiture.* In the MS. lobuid has a stroke under it, which in the MS. is also placed under words obviously repeated by the mistake of the scribe.

² *The original debts.* This is stated differently in C. 2716. "That is, he retains the remnant for *expense of* feeding and tending, if there be less than five 'seds' on the last night, i.e. he keeps to himself the remnant of the distress which did not

Every 'fulladh' of either party is amenable, &c., DISTRESS.
which necessity does not save.

That is, unless there is necessary exemption to protect the defendant, these things shall run, *i.e. accumulate* upon the distress, for if he had exemption neither *expense of feeding* nor tending nor forfeiture shall accumulate upon the distress. A sack for every beast of the cattle of the debtor to which a field of eaten-down grass is given. A sack for seven 'nanmunna'-beasts of the cattle of a kinsman-surety to which top-grass is given. As to the wages of the attendant there is no difference of debtor or kinsman-surety about it; but if it was a skilled person that was minding them, he shall get a 'screpall' for every natural day. If it was an unskilled person, or a lock or fetters, that kept them, half a 'screpall' shall be paid for it for every natural day.

But expense of feeding shall be paid for, according to the greatness of the number and the *length of time*.

That is, but *expense of feeding* and tending and forfeiture¹ shall accumulate upon it according to its importance, *i.e.* the greatness of the number and the length of time that it was out in consequence of exemption, during which the period of forfeiture arrived, and it frees it from forfeiture, but it shall not free it from *expense of feeding* or from *expense of tending*; and the part of it which does not go in the forfeiture shall go in *i.e.* to *pay* the original debts.²

Fools make illegitimate impoundings.

That is, it is an exhibition of folly in a man to impound a distress if pledges and a hostage be offered him.

There are four things which they oppose in the fourfold *law*, *i.e.* two distrainments and two recaptures, *i.e.* double of the distress for its unjust taking, whether by plaintiff or defendant, and they are both alike in re-distraining each other as to the five 'seds.'

If it was at his own house the plaintiff detained the distress, notwithstanding the offer of pledges and securities, five 'seds' and double restitution are due of him. If it was on the road he took it, five 'seds' and double are due of him, and if he has carried it with him beyond *both*, he shall pay 'eric'-fine for unjust distraint.

become forfeited until *expense of feeding* and tending it are paid for. Or he retains the remnant which did not go for *expense of feeding* and tending to go for the *liquidation* of the original debt."

DISTRESS.

Μαρ α νορuium fpi uar nozaburur impe no ip in mbac nachad, ip cuic reoit uad, ocur ma ruic ler taurur ip epuc foxuil tar ceart uad. Mara opuium fpi uar no ip in mbac n-achad po puatuiurur in bioburo in atgabail zin zeallad zin airge, ip cuic reoit uad; ocur emeclunni ocur lainpiach gaiti for in pechemun toicheoda ma po imir taitiur fupire.

Μαρ ap conuir po puatuiurur hi ip cuic reoit ocur emeclunni; ocur ap e rin in tpearmad a paduithur emeclunni inniti; .1. poenel foruir do denum di don pechemun toicheoda, ocur gabail don pechemun toicheoda impe cin zeallad cin airge do gabail don bioburo; da moliqed in pechemun toicheoda innirin anuar. A foxul a pathe in pechemun toicheoda don bioburo zin zeallad zin airge do tobuir don pechemun toicheoda; ocur ip ap gabur rin, inti do nupuiro dliqed fpi uir log emiuch fip ipa patbui, cunach cora emeclunni do bet ina fip fupuiuch for conuir inap abed, ina puatuch uad ocha a ted.

Μαρ ag forur in pechemun toicheoda po puatuiurur in bioburo hi zin zeallad zin airge, ip cuic reoit uad ocur diabluo.

‘Dorli fuinnuil foruir piach gaiti: zinm taise taise cach aircelta naduige dliqed.

‘Dorli .1. tuillet, no airillnigdur. Piach taitiura ap in ti ruurur in athgabail ap poenul on forur no on arur po cur in arur eile .1. cuic reoit ocur emiuchlunni ocur diabluo ipin poeneal foruir, ma tarurur dliqed; do muna tarurur dliqed, ip cuic reoit, no cin co tarurur dliqed cumbed po.

Lanlog emiuch don fip ipa pathe ma po appacht fupir, ocur cuic reoit ocur diabluo do bioburo, ocur ip iap nelo apur ocur troirce, ocur ip fupir in letgabail dubulta puaguilter tuar, cunro a da ninoliged aduro i naduro. Ocur a bunuo piach do pechemun toicheoda, ocur cuic reoit do bioburo ocur athgin laeta ocur zinmruir, dia mbe.

Ireo ip fuinneal foruir anu po bu tui do breit pe forur buroin do breit pe forur dona readt forupib, ocur nu po bu tui

¹ From one ‘forus’-pound to the other. In C. 2717, 2718, raonal forupir is defined thus:—To bring what ought to be brought to his own ‘forus’-pound into one of the seven ‘forus’-pounds, or to bring to his own ‘forus’-pound a thing beyond the value of his honor-price.

If it was in a cattle-shed or in a paddock he has taken it (*the* DISTRESS. *distress*) five 'seds' are due of him, and if he has carried it beyond *them* it is 'eric'-fine for unjust distraint that is due of him. If it was from a cattle-shed or a paddock the defendant carried off the distress without pledge or security, five 'seds' are due of him; and the plaintiff shall pay honor-price and full fine for larceny if he has committed any concealment respecting it.

If it is on a road he seizes and carries it off, he shall pay five 'seds' and honor-price; and this is the third instance where honor-price is found *to be paid* for it; i.e. the plaintiff having removed the distress from one 'forus'-pound to another, and the plaintiff having taken it without accepting of pledge or security from the defendant, the plaintiff has been guilty of two illegalities above. To be carried away from the green of the plaintiff by the defendant without giving pledge or security to him *is illegality on the part of the defendant*; and that is taken from this *maxim*—"When one urges the law to obtain the honor-price of a man for his wealth, it is not more proper to have honor-price for *seizing the distress while* remaining upon the road than for carrying it off from his house."

If it was from the 'forus'-pound of the plaintiff the defendant has carried it off without pledge or security, he shall pay *a fine* of five 'seds' and double *restitution*.

Flitting from the 'forus'-pound incurs the fine of larceny: the deed of every distrainer who does not submit to law is *regarded as* concealment.

Incurs, i.e. it merits or deserves. The person who carried the distress wandering from one 'forus'-pound or habitation to the other¹ habitation incurs the fine for concealment, i.e. five 'seds,' and honor-price and double *restitution are the penalties* for flitting from the 'forus'-pound if law was offered to him; if law was not offered, it is five 'seds,' or this *fine* shall lie even though his right has not been offered.

There is full honor-price due to the man who owns the green if *the distress* has been secured by him, and five 'seds' and double restitution to the defendant, but this is after the evading of notice and fasting, and it is by the double half-seizure it is regulated above, so that there are two illegalities face to face. And the plaintiff is entitled to the original debt, and the defendant to five 'seds' and restitution for the milk and work, if such there were.

'Fuinneal foruis' means to bring to one of the seven 'forus'-pounds what ought to have been brought to his own 'forus'-pound,

DISTRESS. — do bpreit ruiríde do bpreit re foruir buóéin. No dono íreó ír
 ruinneel foruir ann ní don loḡ einiuch taill do bpreit ruirín
 aṡḡabáil amach, no ní don aṡḡabáil amuich do bpreit ruirín
 loḡ enec anunn. Cúic reoit ocuṡ einneclunn díc ann.

Ír ann aṡa einneclunn ann í nimbuid ro ḡaburṡtur impe ar tur
 tar ḡealluib ocuṡ tar airḡib, ocuṡ munur ḡabao nochá nṡuill
 aṡt cúic reoit uao.

[Ól]isur tairiuc diabul aithḡina.

.1. oleḡur a tairiuc ná haṡḡabála ocuṡ loḡ einiuch ṡfir ná
 raitḡe, ocuṡ cúic reoit do fechemuin, cú naṡ apud in ro; ocuṡ
 dia tuṡtur apud ocuṡ tṡorcud ír diabluṡ ná céṡ aṡḡabála,
 uair roṡ olḡ hí uile, ocuṡ loḡ einiuc don aḡne, ocuṡ arí a
 raitḡe nach eile, no cú dia raitḡe buóéin, ocuṡ cúic reoit; ocuṡ
 ír í ruinn ná cúic reṡ—ṡrian do fir raitḡe, ocuṡ ṡrian do
 fir ná haṡḡabála, ocuṡ ṡrian don aḡne.

Ṳilur cú cúic reṡuib írelb n-aḡneṡ.

.1. in leṡḡabáil ocuṡ ná cúic reoit, ocuṡ a ruinn anṡe eṡurra;
 no ír ṡrian don aḡne .1. ar in annruinne beiruir .1. ríac
 inolíḡeṡ aṡḡabála inṡrín. .1. ír ṡilur curuice cúic reoit
 dia relb in fechium ocuṡ in aḡne deḡiner imin ae imin canḡin
 .1. curi tobuis olḡur.

Cú ina nṡebuirturum a relb an aḡne, uair ní do aṡa in
 ríach inolíḡeṡ aṡḡabála? Ír é in ríac roṡera, uair ír do ná
 cúic reṡuib do beṡar ír in inolíḡeṡ aṡḡabála do beṡur loiḡiṡeṡ
 a toṡuill do, .1. ṡa ṡrian ná cúic reṡ rín do fechemuin toicheṡa,
 ocuṡ ṡrian do aḡne toṡuill, ṡa ṡrian coṡuc aḡne toṡuill do
 aḡne fechemuir; no doná cunabeṡ ní do ná haḡneṡuib eṡir,
 aṡt abeṡ do ná fecheṡnuib uile, .1. ruinn ar do itir aḡne toṡuill
 ocuṡ aḡne ṡaḡra; no a leṡ do aḡne ocuṡ a leṡ do fechemuin
 toicheṡa; no a leṡ do aḡne ná fecheaṡnuir ocuṡ a leṡ don
 fechemuin toicheṡa.

Sic.

¹ *Honor-price.* The definition of 'logh-enech' will be found in C. 224, 689, and in O'D. 1345. It is the same as 'eneclann.' The definition of 'ruinneel foruir' in C. 2717, 2718, is much clearer than the above. See note 1, p. 78.

or to bring to his own 'forus'-pound what ought to have been brought to them. Or flitting from the 'forus'-pound is to bring a part of the honor-price of the defendant^a with the distress out, or to bring a part of the distress *from* the plaintiff^b with the honor-price¹ of the defendant. Five 'seds' and honor-price shall be paid for it.

The instance where honor-price is due is where it (*the distress*) was seized at first despite of pledges and securities *which were tendered*, but if it has not been so seized there are only five 'seds' due of him (*who distrains*).

The double restitution should be restored.

That is, it is right to restore the distress and to *pay* honor-price to the owner of the green, and five 'seds' to the law agent, this is with second notice ; and if notice is given and fasting *takes place*, it (*the penalty*) is double of the first distress, for it was all due, and honor-price is due to the advocate, and five 'seds,' whether it is in another man's green, or in his (*i.e. the person who distrains*) own green ; and the five 'seds' are divided *thus*—one-third is given to the owner of the green, and one-third to the person who distrains, and one-third to the advocate.

It is lawful to have as much as five 'seds' in the possession of the advocate.

That is, the half-seizure and the five 'seds,' and they are divided into two parts between them ; or one-third *is due* to the advocate, *i.e.* for the proportion which he obtains, *i.e.* this is the fine for illegal distress, *i.e.* it is right that five 'seds' of his possession should reach the law agent and the advocate who pleads about the cause *or* covenant, *i.e.* he is entitled to the share of the man who levies.

Why does he (*the author of the law*) say "in the possession of the advocate," for the liability on account of the illegality of the distress is not on him? The reason of it is, that it is out of the five 'seds' which are paid for illegal distress that his fee for driving out is paid to him, *i.e.* two-thirds of these five 'seds' are due to the plaintiff, and one-third to the distraining advocate, and two-thirds of the share of the 'aigne toxail'-advocate to the 'aigne Fechemhnus'-advocate ; or else that nothing is for the advocates in particular, but that it all goes to the law-agents, *i.e.* it is divided in two between the 'aigne toxail'-advocate and the 'aigne tagra'-advocate ; or half to the 'aigne toxail'-advocate and half to the plaintiff ; or half to the pleader in the suit at law and half to the plaintiff.

DISTRESS.

Ní hacluir do ruata nachgabála dóna .d. dlísi.

.1. ní bí in glinne cetna rruir i ngeabúir in athgabáil a foruir ar a chinn tall, co tabuirrúim iarúim atgabáil lair, uair ní bí in glinne a bfuir ar a chinn .1. in rmaét nach in diabliú .1. comarúsaó fil rúnn iuir ná dá in dliú .1. in dubliú in aúis aráile, ocu in atgabáil do ariú amúis.

Dólmúin do boethuib náó naírluiz gaith.

.1. ír dólmuin in tan noí geabúir ná baith, cu tucthur ath arú impe uair nach a chomúirle in gaith ro gabúir.

Ír dólmuin atbeir rúnn do ná hecounuchuib muna gabúir gealláó uatúib; dá ruatúisúit in athgabáil leo iarúain, ní úir in athgabáil do gabáil iarúain cu tarúú atáru impe. Ní hecú in múirú atúoicheó for in cónuch máó iat ná hecounúis éirát do áirúirú geall ócu arúch tar éir ná hachgabála. Muna geabúir uatúib, ír rlan dóib a ruatúch amúich, ocu íre cuir in dólmuin ír ecú atúoicheóá iúmpa.

Mara cónúé do éuáó úruarúcuó ná hachgabála ocu tarúú geallá ocu arúe tar a ceann, ocu ní gabáó uáó, rlan do a ruarúcuó no a ruatáó, ocu a gabáil amach ar ír hí gan athúoicheó.

Már ecounuch do cuáó úruarúcuó ná hachgabála, ocu ní híat a cónúis a dubúirú rúu, ocu tarúatú geallá ocu arúe tar a ceann, ocu ní gabáó uatúib, ír rlan dóib a ruatúé, ocu nochá gabúir amach ar ír hí gan athúoicheó.

Már ecounuch do chuáó do gabáil ná atgabála, ocu írat a cónúó ro chuir iat, ocu ír éó a dubúáó rúu a gabáil cu dlíúéé, nó nóá úeúúú rúu a gabáil cu dlíúéé ná cu híndlíúéé írlan ro aúneó ná necounuch úic in gaé in dliúéó do úenuit. Már éó a dubúáó rúu a gabáil cu híndlíúéé, ír lan ro aúneó ná cónuch úic ann.

Már e in rúúú rúú úúúé úer do gabáil ná hachgabála, caé

A man cannot sue for the recapture of a distress ^{DISTRESS.} to which he did not give its due *allowance*.

That is, he (*the defendant*) does not incur the same *liability to give* security as if the distress was taken into a 'forus'-pound by the plaintiff,^a and so he takes his distress with him, as there is no *liability of* ^{a Ir. Without.} security at this side before him, i.e. respecting fine or double *restitution*, i.e. there is a balancing here between the two illegalities, i.e. one against the other, and the distress must be restored to the plaintiff.^a

The infants are guiltless where they have not been instructed by the sane.

That is, the infants are guiltless when they have distrained, and notice of it is to be served again because it was not by the advice of the sane they distrained.

The *adults who were* not sensible are here said to be guiltless if pledges have not been accepted from them; if they carry off the distress with them afterwards, it is not right to *re-take* it afterwards until notice is served again. But it is not necessary to re-sue the sensible adult, if it were not sensible adults that came to offer pledges and securities after *the taking of* the distress. If they have not been accepted from them, it is safe for them to carry it out, and the force of the 'guiltless' is, that it is necessary to serve notice on them again.

If it be a sensible adult that has gone to get back the distress and offered pledges and securities for it, and they were not accepted from him, it is safe for him to take back or carry it off, and it shall not be carried out again without a second notice.

If it be adults *who are* not sensible that have gone to get back the distress, and it was not their sensible guardians that had told them *to do so*, and they offered pledges and securities for it, and they were not accepted of from them, it is safe for them to carry it off, and it shall not be carried out again without a re-suing.

If it be adults *who are* not sensible that have gone to take the distress, and that it was the sensible adults who had sent them, and that they had been told to take it lawfully, or that they had not been told to take it lawfully or unlawfully, full *fine* shall be paid according to the class of the adults *who are* not sensible for every illegality which they have committed. If they had been told to take it unlawfully, full fine shall be paid for it, according to the class of the sensible adult.

If it be the party to the suit (*the plaintiff*) that has brought a

DISTRESS. inoliḡeð co nicpuð do denum impe, cío i nampecht cío i noḡuio a chele, nochá nḡuil ní uaða aét lan in inoliḡio ír mo tób.

Mar é in pechium ruc ler tliḡeð do denum uimpe, ḡac inoliḡeð do dena uimpe inampeét írlan in inoliḡeð ír mo túb uaða. Caé inoliḡeð do déna iar raine peéta ír a nic uile. Cach inoliḡeð do denuit imapaen impe, pechium toicheða ocuf aigne, cu ríur toib imapaen, ír a ic don pechemuin toicheða aenur. Cach inoliḡeð do denuit ḡan ríur toib imapaen ír a ic don aigne aenur. Mar a ríur aḡ neétur de, in tí aḡa mbia a ríur a íc do aenur.

ḡabail etechta.

.1. for conuir, no ḡabail impe cu hinoliḡeé cin a lecuð írin mbac nachuio, uair ata eipic ina pechmuilluio ocuf ina nemlecuð a can, ata eipic ina nemlecað i nuprapuif, ocuf nochá nḡuil ina peachmuillað.

Ácht aindriur no aincear, ḡrl.

.1. aincit ná deéḡipe in cinuach ar poḡeallta i naimrip poḡeéta, ocuf aincit ar tichim i naimrip tichma, ocuf ní aincit ar poḡeít nach ar bleé.

Cair cir lir uair athḡabail do pecheamnuib. [C]irne aipḡaurt pechiumnuir? Nín. Deoruio, doer, díthir.

.1. in tan po petut cin loḡ pechiuman eile ír ann ata ro; ocuf muna petut, ír tliḡeé toib fein tacra a caigne. Ocuf mað ecin do neétur in dá pechiumin loḡ ar pecheam do tacra, ír e biuðbuio do beir muna raḡba pechium toicheða cin loḡ. In oiriuat tra do ḡeb in tuaral neaé buf cutrúma per in írú, cin loḡ, do tacra a caingne, ír e do ḡebio, uair ír upcuillte don írú in tuarú in cáingin.

person with him to take the distress, as regards every illegality which he, (*i.e. that person,*) may happen to commit respecting it, whether at once or at different times in succession, nothing shall be *recovered* from him but full *fine* for the greatest of these illegalities. DISTRESS.
—

If it be the party to the suit (*the plaintiff*) that took a person with him to take the distress lawfully, as to every illegality which he shall commit respecting it at the same time, he shall pay full *fine* for the greatest of these illegalities. As regards every illegality which he shall commit at a different time, he shall pay for them all. For every illegality which both shall commit respecting it, *i.e.* the plaintiff and the advocate, both knowing of it, the plaintiff alone shall pay. For every illegality which they shall commit without the knowledge of both, the advocate alone shall pay. If either of them is aware of it, the person who is aware of it alone shall pay for it.

Unlawful seizure.

That is, upon a road, or to take it unlawfully without letting it into the paddock, for there is 'eric'-fine for *taking advantage* of the neglect and for not letting it *into the paddock*, in 'Cain'-Law, there is 'eric'-fine for not letting it *into the paddock*, in 'Urradhus'-Law, and there is not for *taking advantage* of the neglect.

Except ignorance or difficulty, &c.

That is, the necessities protect the debtor against *expense* of feeding in the time of feeding, and they protect him against delay in pound in time of delay in pound, but they do not *then* protect him against *expense* of feeding, nor *expense* of tending.

Question—How many are the difficult distresses to the law agents? Who are they that are prohibited from acting as law agents? Answer—A stranger, a bondman, a landless man.

That is, this is the case when the parties are able to *plead their cause* without paying another law agent; and if they are not able to *pay*, it is lawful for them to plead their own cause. And if either of the two parties to a suit is obliged to fee an advocate for pleading, it is the defendant that shall pay, unless the plaintiff can procure one without a fee. As long, however, as the man of the upper class obtains an *advocate* equal in *rank* to the man of the lower class, without fee, to plead his cause, it is him he employs, for it is prohibited to the

DISTRESS. Maða faḡba imurpo int ipul, cin loḡ, uapul bur eapuma
 —————
 per in uapul eile, cuiruibed ber im canḡin ppiḡ; no ip berut
 apaiḡe uḡuip, cumuḡ laip in uapul cunḡe a eapuma i naḡuio
 in ipul, ciḡ é acupḡ ciḡ é acupḡthup, cia ḡo beruio loḡ cin co
 tuca. Orem ḡib pin noch a oḡeupḡ ḡiub tiaiḡuin ḡacpa a
 canḡne fein no canḡne nech eile, ciḡ neaḡ eile cin loḡ cin cu
 faḡuit; ocup ḡa tḡuit atait cuic feoit uaiḡib.

Orem eile ḡiub oḡeupḡ ḡiub tiaiḡuin ḡacpa a canḡne fein
 muna faḡuit neach eile cin loḡ, aḡ icuit eipic i nḡoligeḡ ḡo
 denuit taḡ iapuin; ocup noch a oḡeupḡ ḡib tiaiḡuin ḡo acpa
 canḡne nech eile cu loḡ no cin loḡ, cin cu faḡuit; ocup ḡa tḡuit
 atait cuic feoit uaiḡa.

Ar nī faḡut a nachup a pine.

.1. cia noḡ naḡta cuip no cunḡpaḡa, no ciḡ apaiḡ noḡ ḡabao oc
 ḡabail nathḡabala, ḡo ḡoḡata pine poe.

Ouine po anuap ip upcuḡḡe ḡo ḡabail athḡabala ocup
 opechiumnup im in can, ocup noch a nḡoligeḡuch neamuppoemuḡ
 a toicheḡa, na nemlecaḡ ḡo ḡabail aḡabala, no opechiumnup
 imin canḡin im leap nech, no cu tucuit ḡa nḡoligeḡeḡa leo, ḡa
 faḡuit iat [ap comloḡ no anaiḡci, ocup muna faḡuit] ip ḡip
 a toicheḡo ḡuppoemuḡ, ocup a lecuḡ ḡo ḡabail athḡabala, ocup
 opechiumnup imin canḡin; ocup ḡa nḡepna nḡoligeḡ ip eipic a
 nḡoligeḡ ḡic ḡoib.

Maḡ ina leap fein, noch a nḡoligeḡec neamuppoemuḡ a toiche
 na lecuḡ ḡo ḡabail athḡabala, na opechiumnup imin canḡin no cu
 tucuit ḡaine oḡigeḡeḡa leo, ḡa faḡuit iat cin loḡ; no muna faḡuit,
 ip ḡip a toicheḡo ḡuppoemuḡ, ocup a lecaḡ ḡo ḡabail athḡabala
 ocup opechiumnup imin canḡin; ocup ḡa nḡepnuc nḡoligeḡ, ip eipic
 a nḡoligeḡ ḡic ḡoib.

Ach be nach aile ḡo pona a lepa pobith pine pīa-
 churige.

¹ *Equal rank*, i.e. one of equal rank with the man of lower class.

lower classes to plead against the upper classes in any cause. If, DISTRESS.
therefore, the man of the lower class can procure a man of the upper class, without fee, equal *in rank* to the other (*his antagonist*), it is he shall plead his cause; or, as other authors say, it is the duty of the man of the upper class to seek one of equal rank¹ to plead against the man of the lower class, whether it is he that sues or is sued, whether he gives a fee or does not. Some of these (*the upper class*) are not bound to come to plead their own cause or the cause of another, whether they procure another person without fee, or with fee; and should they come to *plead*, five 'seds' are due of them.

There are others of them who are bound to come to plead their own cause unless they procure another person without a fee, but they shall pay 'eric'-fine for the illegality which they shall commit in the suit afterwards; but they are not bound to come to plead the cause of another person for fee or without fee, whether *the other person* can procure an *advocate or not*; and should they come, they shall pay a fine of five 'seds.'

For they cannot enter into any engagement which the tribe cannot set aside.

That is, though they have entered into covenants and contracts, or whatever security they may get in taking distress, their tribe can oppose it.

The above are persons who are prohibited from taking distress and pleading a cause, and it is not unlawful to oppose their suit, or to prevent them from taking distress, or from pleading a cause in behalf of another, until they bring two persons allowed by law with them, if they can find them for a fee or gratis,² and if they *cannot* find them, it is right to assent to their suit, and to permit them to take distress, and to plead a cause; but if they be guilty of illegality they shall pay 'eric'-fine for their illegality.

If it be in their own behalf, it is not unlawful to oppose their suit, nor to prevent them from taking distress, nor from pleading a cause until they bring persons allowed by law with them, if they can procure them without a fee; or if they do not, it is right to assent to their suit, and to permit them to take distress and to plead a cause; and if they commit illegality, they shall pay 'eric'-fine for their illegality.

Who has not another to act in his behalf on account of a tribe liability.

² *Gratis*. The Irish for this is inserted from margin.

DISTRESS. .1. nochá nfuil aice neac eile doḡne e, no ní faḡbuit neach eile dfechiumnuir a cainḡin i nairce no ar a comloḡ, ir ann do niait pen rin.

Fobit fine fiachuige, .i. roaig ná ro fiachuigear im cinuit a fine, no ná ro moite fech ná fine in luét ro im cainḡin friu [.i. ar bit forru do borat ocuif do borar tóib conaé roiceet].

No ir beir ir doeit breitemuin no roaig fiachuigete ná fine catathur acru anolecuir iat dfechiumnuir, in tan ná faḡbut f comaró ar loḡ no in airce, .i. narbut fiachuio hi cinuit fine. Ir aine ní faibuit atgabail im a lera; no ata ar fine im do ponut ceana; no dono dia toibget fine doib, noiri lét a cinuit, ar ir fiachué fine, ocuif ata a moé ina cainḡuib fein.

[N]í dá aiprachit uchae munub faitiuch cach aera.

.1. nochá ninnhuigi é a gabail a ae a gabail atgabala im in ae imin cainḡin, muna roibe fath ir deaé aice in gach rofir anta ocuif apuit, .i. ná ceitne nanta ocuif ceitne dteimnna ocuif ná da napaó, .i. apuó noen loe for in ti da ná tech in roe a heoluif inhuic ná fíleó ocuif a leanmuin cu hoir cpiche, ocuif doirn ina brolluic in or cpiche, muna ti upruio ro lan, ocuif da ti, ir a ic doirde, .i. lan ina brollaé, no ruige accuó dianḡama cin apuó no cin anuó naile, ocuif ní fíil arḡare tairceó a taiti ret do aét cio be ret.—S.O.

Duine rin cur ná fuil tochuif a cpiuch no a feétuif cpiuch. Ocuif dia mbe tochuif aice a feétuif cpiuch, dia nairbernuio turbuio, roe roerfa a turbuio a conuife e.

In faitiuch ipet dleguif apuó naen lae air, mara gnaó feine, ocuif a gabail ar a haitle; no apuó aen lae, mara gnaó flata; no troerco ar a haitle ocuif a gabail ar a haitle, aét muna

¹ For whether they sue or are sued, they shall not pay. The Irish for this is inserted from the margin.

² Advocate. f. only in the original, which, probably, should have been lengthened out into 'Fechium.'

That is, *when* one has not any other person to do it *for him*, or he does DISTRESS.
not find another person to advocate his cause gratis or for a fee, it is
then he does it himself.

On account of a tribe liability, i.e. because he is not held responsible for the liability of his tribe, or that the debts of the tribe are not the greater because of these people having contracted with them, for, whether they sue or are sued, they shall not pay.¹

Or it is said that the Brehons admit persons to plead to prove the debts against the tribe who are sued in the case, when they cannot find an advocate² of equal dignity for a fee or gratis, i.e. that they may not be responsible for the liability of the tribe. It is for this reason they do not take distress in their behalf; or what they have already done is a *liability* upon the tribe; or, indeed, if the tribe distrain for them, they shall incur half the liability, for the tribe is liable, and their manner of *suing* is in their own counsels.

No person is qualified to plead a cause at the high court unless he is skilled³ in every department of legal science.

That is, he is not qualified to manage the cause in taking distress for the cause or the covenant, unless he has good skill in knowledge⁴ of every stay and notice, i.e. the four stays and the four delays in pound and the two notices, i.e. a notice of one day upon him whose house is the road, who, from what is known of the meaning of the *part of the law written by* the poets, is to be pursued to the border of the territory, and seized by the collar at the frontier of the territory, unless a native surety come to his relief, and if such come, he shall pay for him, i.e. he is seized by the breast, or he remains with them if he submit without any other notice or stay, and he has no privilege in restoring his concealed 'seds,' but *restores* every sort of 'sed' whatsoever.—S. D.

This is *the case* of a person who has no property in the territory or outside the territory. If he has property outside the territory, if he pleads his privilege, his privilege of way or *passage* shall free him.

A notice of one day should be served on the vagrant, if he be of the Feini grade, and he is arrested afterwards; or a notice of one day, if he be of the chieftain grade; or fasting afterwards and then arrest-

³ *Skilled*. The three grades of advocates, or pleaders, and their qualifications are described in C. 812, 813, 814.

⁴ *Knowledge*. That is, knowledge of the meaning of the poets and others in whose writings the laws are contained.

DISTRESS. Gabuird uirruird iŕ in cŕich do laim̃n a farrtuoir ann re re a toicheoda, ocuŕ da ngabuid, iŕeo dleŕur toicheod air fo aicniuid a ŕraird; ocuŕ ma ta a dail eŕi roime rin, iŕ a gabail fo cetoir; ocuŕ in cŕich i ndeŕna a ãin no a cunnuir do iŕ innai ãaruŕ ainn rin é. Ocuŕ damad a cŕich eile ãaruŕta é, ocuŕ ní hinnre a ta a ŕoruŕ, ocuŕ ní hinnai do ruŕni cin no cunnuir, ŕaeruid a ãhuŕbuid conuŕre é, cu ŕia in cŕich a ta a ŕoruŕ, no in cŕich a ndeŕna a ãhin no a cãnnuird. Muna ŕuil ŕoruŕ aice eŕir, noch a ŕuil re do, aãt aruid ŕaite air; no dono cu ŕoerato a ãhuŕbuid cu ŕoirẽd in cŕich i ndeŕnuir a ãhin nio a chunnuird, ocuŕ muŕi ocuŕ cŕicha do ŕiaŕuil on inuid ar gabuid é cu ŕoruŕ in ŕechium toicheoda, ocuŕ innŕechium in tĩ ŕo gab do ŕiaŕuil uime, ocuŕ anuid ocuŕ dũichim air fo aicniuid na ŕet.

Caide deŕbir eŕuŕuid rin ocuŕ ní ãabuir eŕoŕ ŕoŕ conuŕi? Duine rin ocuŕ in cŕic a ndeŕnuir a cin no a cunnuird iŕ innai ata a ŕoruŕ, ocuŕ noch ainnai ãaruŕ é; ocuŕ ŕaeruid a ãhuŕbuid conuŕre é cu ŕia a ŕoruŕ. Acht neach aŕ na bia aruŕ inuinn eŕeo ocuŕ in ŕaiteuch. In bail ata in tĩ ŕo ŕic iŕ e tẽt ãar cŕich, 7ŕl. Cumuid in gabuird rin, no eŕide.

Deachmuird ŕri ŕuŕuid, aenu doneoch neaŕum.
c. 2718. [Cethard a ŕeŕar.]

.1. ní ŕil deŕbir ŕeoit aine, na tŕeire, na cuicẽ, na deachmuird uime rin, .i. na ceĩŕi neŕum aŕeŕar ŕunn ar in ŕet aine, da neŕum cu leã diuib ac in biuibuid, ocuŕ neŕum cu leã dŕeĩumuin toicheoda, neŕum cinuid ocuŕ neŕum ŕaioibre ocuŕ leã neŕum comaitŕuib aŕ in biuibuid: neŕum comaitŕuib, .i. i naen muŕi, ocuŕ neaŕum cinuid, .i. re hĩc a chinuid ŕein ocuŕ ní

ing *should take place*, unless a native surety in the territory undertakes to keep him there during the period of the suit, and if he does, it is necessary to sue him according to the nature of his grade ; and if he is about to depart out of it (*the territory*) before then, he should be arrested at once; and it is in the territory in which he contracted his liability or made his covenant, that he is arrested on this occasion. Should he be arrested in a different territory, in which his residence is not situated, and in which he did not commit his crime or make his covenant, his privilege *in respect of his right* of passage shall save him, until he reaches the territory in which his residence is situated, or the territory in which he committed his default or made his covenant. If he has no residence at all, he has no time *allowed him*, but a vagrant's notice *is served* upon him ; or, indeed, *according to some*, his privilege *in respect of passage* will save him until he reaches the territory in which he committed his crime or made his contract, and places and territories shall regulate *the matter* from the place where he was arrested to the residence of the plaintiff, and the intention of the person who took him shall regulate it, and stay and delay in pound are upon him according to the nature of the 'seds.'

DISTRESS.

What is the difference between this *case* and *the case in which it is said*, "No prohibition is put upon *the use of the road*?" That is *the case of a man* who committed his crime or made his contract in the territory in which his residence is situated, but who was not arrested therein ; his privilege *in respect of right* of passage shall free him until he reaches his residence. But the person who has no residence is like the vagrant. Where the man who has committed a crime is, it is he who shall pass beyond the boundary, &c. This is the thief.

Ten days for a period of prescription, one day for every necessity. Four things are considered.

That is, there is no difference *in the case* of the 'sed' of one day's stay, or the 'sed' of three days' stay, or the 'sed' of five days' stay, or the 'sed' of ten days' stay, respecting this, i.e. the four necessities are considered here concerning the 'sed' of one day, two necessities and a half with the defendant, and one necessity and a half with the plaintiff, necessity of liability and necessity of property and half necessity of residence with the defendant ; necessity of residence, i.e. at one place, and necessity of liability, i.e. for paying his own

DISTRESS. cinuio mbleoḡuin, ocuḡ neḡum ɣaioḃre, .i. cina iapɣuio ap neach eile; neḡum toirceḃe ocuḡ leḃ neḡum comaitɣib ac in pechemuin toicheḃa.

Na huile ɣeoit uile ata neapam ɣu an aicneḃa buḃein, no cin cub neḡum, maḡ ḃa caithium ɣo baḃar aice ɣo ceḃoir, no maḡ ḃa ḃaḃuirḃ ḃo cinn neḡum, anuo naime opɣu ocuḡ toithim ɣreɣi.

No ɣu ɣena.

.1. leḃ ɣu ɣeɣa leḃ apɣa, no cuma é ɣu na ɣamuirḡe no na ḃo innlaeḡe ap oḃe laithib, .i. a hanab ɣreɣe ocuḡ a toithim éuicḃe, cuna oḃe láite; ocuḡ in luḡach ap ceḃre laithib, .i. a hanuḃ naime, ocuḡ a toithim ɣreɣe; ciḃ a coɣ no a cunnɣuḃ, no ciḃ a neɣuib ɣoḡla ḃleḡuɣ iat can ḃeḃuɣ na ɣee ɣin eaḃuɣuḃ. In ɣe ap a mbia anuḃ aicnḃa cuɣ ub e in ɣe ɣin ap a mbia a ɣu.

Ni ɣopɣachḃa nech inecumung.

.1. noch a noirceḃe neac ima ní ima cumḃuɣ é a ninḡ a mḃoaḃe a ɣeḃ ḡan ɣe ɣé hiaɣuio ḡac neḃ ḃuib ɣo, .i. luḡe ḃuɣuio ap ɣe na ɣe coɣ. In ɣe no in ḃanuḃ biaɣ ap na ɣeḃuib cuɣuib eo beɣ ap in ɣu; ocuḡ amuil ɣaḃuḡit muḡe ocuḡ cuḃha ann na ɣeḃ, iɣ amluio ɣaḃuḡit ann in ɣu; no cona ɣaḃuḡit muḡe anao in ɣu.

ɣu no pech, no ɣeḃeamuin ḃea cinuio ɣu ɣuapḃ, ɣu.

.1. ɣeoit ɣu uil ɣe neac amuilḡ ɣe comḃat ɣuapḃa, ocuḡ cemao ɣeoit aine iɣ anuḃ ḃechmuḃe ap, ocuḡ toithim aine.

Ciḃ ɣo ḃeɣa aḡḡabail ḃo ḡabail uime, ocuḡ a beḃ ɣe neac amuilḡ ɣe comḃat ɣuapḃa? Iɣ é in ɣaḃ ɣoḃeɣa ɣuapḃ aineɣa no ɣaɣuḡe é; no ḃono iɣ i cuicɣi inḃi uil aḡ in aḡna cu noḃuḡit é; ocuḡ i ɣlan ḃo aḡḡabail ḃo ḡabail uime, ce no beḃ ɣu é amuilḡ ɣe ɣé ɣuapḃa.

liability and not the liability of his kinsman-surety, and necessity of property, i.e. without asking it of any other ; necessity of life and half necessity of residence with the plaintiff. DISTRESS.

All 'seds' whatsoever which are necessities by their own nature, or though they be not necessities, if he had them for immediate use, or if they are being given on account of necessity, have a stay of one day upon them and a delay in pound of three days.

Or proof of non-liability.

That is, half the proof of witness or half security, or it is the proof of the 'samhaise'-heifer or of the incalf cow, that is in eight days, i.e. its stay of three days and its delay in pound of five days, which make eight days ; and the milch cow in four days, i.e. its stay of one day, and its delay in pound of three days ; whether they be due in contract or covenant, or for 'eric'-fines of trespass, it makes no difference in these terms. The time which is its natural stay is the time *allowed* for proving it.

Let no man be forced *whilst* in a state of inability.

That is, no one shall be forced respecting a thing which would throw him into difficulty, without allowing him the time necessary to seek each of these things, i.e. an oath of *expurgation* should be asked from him in his proper time. The time or the stay which belongs to the 'seds' is the same which is *required* for the proof by *expurgation* ; and as places and territories extend the time of the 'seds,' so they likewise extend the time of the proof ; or *according to others*, places do not extend the time for the proof by *expurgation*.

Proof of debts, or of a party to a suit whose property is out of possession during a period of prescription, &c.

That is, these are 'seds' belonging to a person which are out of possession during the period of prescription, and even though they were 'seds' of one day's stay they shall have a stay of ten days, and a delay in pound of one day.

What is the reason that distress is taken for it when one has it out of the possession of the owner during the period of prescription ? The reason is, *that* it is a prescription on account of ignorance or of violation ; or *that* it is the impression of the person who is suing that he is entitled to it ; and it is safe for him to take distress respecting it though it has been out of his possession from him during the period of prescription.

DISTRESS.

Ácht athuig forrétá bítir fri cirta o ríguib.

.1. ácht na hátuig ro bítir ac na ríguib da forrétim re ic a cinuio, forr a toibgeó cáe in pola cinuio no in pola ríac rosolepta do na rígaib, .i. maoir no reétuire in rí iat ríde, uair doetge lair in ugoir atgabail do gabail do na ríguib ocur do na herpocuib buóein, cio troicuo do legoir ina ríachuib cuir ocur cunnurétá, ocur in cirta coiri ocur laime. Ir amluio ro bioir na ríga ocur na erpuic i nallut, do reri na nairanta, ocur átuig forrétá acuó da ríne buóein, no doer cele ag in rí, no doer manuó ag in erpuic, ocur cumao amluio rin do betir na grait reéta, ocur na grait ecalra uile. Ocur do daer ceilib pláta no dia ngelíne an átuig forrétá, ocur do doermanáuib eaculra, no dia ngelíne na hátuig forrétá. No bítir ac tobuó doib gac neó oligoir ocur a gabail atgabala uime, da rígoir aler; ocur gac cin ro acurta ar na ríguib cumao oibrim ro gabta atgabail uime. Da lécoir na ríga troicuo ocur da ngabta atgabail do na rígaib tar fri in átuig forrétá, ir ríac inoligio athgabala ann, ocur a da trian don cinn ocur aen trian don athuó forrétá; no cumao don athuó forrétá no betir in da trian; ocur gac inoligeo atgabala do gentur ririn átuó, ir ríach inoligio athgabala do inn, ocur a da trian aice buóein ocur a áen trian don rí; no dono cumao a breit do aenur a nimbuió ir de gabtur in atgabail; ocur in imbuió ir don rí no gebta i cumao ríach inoligio atgabala do breit do aenur. Ocur gac inoligeo do dena in tathac forrétá fein um in atgabail ir a ic do aenur; ocur da tecmaó inoligeo atgabala do denum don cinn, cumao é in tathuó forrétá no icuo; ocur aigim in gac neó rácur a loimó, ocur i corppíac daatgabail in athuig forrétá tic on cinn; no cuna íca eir in na ríachuió a loíao ri.

Cí rí gella athcomairc?

.1. o pechemuin ata na gella ro, áet da gell o cirtac nama.

¹ *Them.* In O'D. 908, it is stated that the plaintiff served the king and bishops with notice, and then took distress from their steward-bailiffs.

Except steward-bailiffs which kings had to be DISTRESS accountable for their liabilities.

That is, except the stewards whom kings used to have to relieve them in paying for their liabilities, and whom all sued for the liabilities of crime or liabilities of contract due from the kings, i.e. these were the stewards or agents of the king, for the author of *this law* was loath to take distress from the kings or bishops themselves, though *the persons suing them* fasted on them¹ for their liabilities of bargain and contract, and their crimes of foot and hand. The kings and the bishops in ancient times, according to the ancients, had stewards of their own tribe, or the king had a 'daer'-stock tenant, or the bishop a 'daer'-stock tenant of ecclesiastical lands, and all the septenary grades and all the ecclesiastical grades were similarly provided. Their (*the kings*) steward-bailiffs were of the 'daer'-stock tenants of the chieftain or of the 'Geilfine'-tribe, and their (*the bishops*) steward-bailiffs were of the 'daer'-stock tenants of ecclesiastical lands or of the 'Geilfine'-tribe with which the *bishop's* church was connected. They used to levy for them every thing that was due to them and take distress for it, if necessary; and for every liability for which the kings were sued, it was from these that distress was taken. If the kings had permitted fasting to be performed and if distress were taken from the kings without the knowledge of the steward-bailiff, there is fine of illegal distress imposed for it, of which two thirds are due to the head *kings*, and one third to the steward-bailiff; or according to others the two thirds were due to the steward-bailiff; and for every illegality of distress committed against the steward he shall be paid fine for it (*the illegal distress*), of which he himself shall possess two thirds and the king one third; or else he shall obtain all when it is from him the distress is taken; and when it is taken from the king, he alone shall get the fine for illegal distress. And as regards every illegality which the steward-bailiff shall commit respecting the distress, he alone shall pay for it; and should it happen that the head (*king or bishop*) committed illegality of distress, the steward-bailiff shall pay for it, and make restitution for every thing that has gone into forfeiture, and the original debts of the steward-bailiff shall be paid by the head; or according to others the part of it which has become forfeited shall not be paid for at all.

How many are the pledges of right of appeal?

That is, these pledges are from the plaintiff, except only two which are obtained from the debtor.

DISTRESS. Dá g'eall ríma o bíobuirió, nó dá g'ne for g'eall. 'Dech ngill
 rírana o fechemuin toicheoá, nó de ngne for g'eall. Ambet rín
 fo m'ad, rímaet gill f'ectmurió, nó g'eall urfuisgill.

Cio ar conuir cio as forruir in fechemun toicheoá tairgur
 in bíobuirió a dec ngealla deé ngne do gabail, ocur ní tucad do, ír
 rlan don atgabail do ruatac, acé munub e fpeacra in fechemun
 toicheoá: tabuir-rí damra, ar ré, mo dá g'eall, nó mo dá g'ne,
 ocur doirber-ra duit-rí do dech ngille; ocur mar e, ír epió uá
 fo aicniur ná n-inur ar ar ruatuigeó í.

Uíre a hanta írre a huíre g'eallta, 7rl.

'Dech ngill rínn re dech ngeirb, nó dech ngeee fo aen g'eall
 o fechemuin toicheoá do bíobuirió; dá g'eall re dá g'ne, nó dá g'ne
 fo aen g'ne o bíobuirió o fechemuin toicheoá; ocur nochá narluir-
 gínn oligeó for in bíobuirió a dá g'eall do tobuiré co tarra
 fechium toicheoá a dech ngill.

Má targuir in fechium toicheoá a dech ngill ocur nó air-
 berennuig g'eall do cunze for bíobuirió, ocur ní tarra in bíobuirió,
 ocur nó ruatuigurtur a athgabail ler, ír riach inoiligiró athga-
 balá on bíobuirió.

Muna targuir in fechium toicheoá g'eall ann rín, ocur ní
 tarra in bíobuirió, ocur nó ruatuir in bíobuirió in athgabail, a dá
 ninoiligiró aduirg in aduirg.

Má targuir dono in bíobuirió g'eall, ocur nó airberennuirió
 g'eall do cunze for fechemuin toicheoá, ocur ní tarra do, ocur
 ní nó ruatuir a athgabail, ír riach ninoiligiró don bíobuirió.

Ír íat ná deé ngealla a deir rínn o fechemuin toicheoá do

¹ *The period of its stay.* A short gloss on this is found on a slip of parchment inserted between cols. 454-456, which runs as follows:—

Uíre anta íre huíre g'eallta; uíre g'eallta íre uíre ice riach. Uíre
 anta íre g'eallta, .i. in pé iarú a m'iró rí for anad a laim
 cinraig, íre rín pé ar ná oir g'eallta do tabairt amach; ocur ír loir
 tairringsire ar ná g'eallta rir in pé rín ocur g'eall i forba in tairringsire.
 Uíre ríthma íre uíre ice riach, .i. in pé iarú a n'irhmann rí
 in rogeiré ocur in bleir do uil ina cenn, íre rín pé ar ná oir feich
 amach tar cenn in gill rín; oir g'eall i forba anta, feich i forba
 ríthma; ocur tairrín oligiró rín.

The period of the stay is the period of pledges; the period of pledges is

Two pledges *are set* down here from the defendant, or two causes of *swing* for a pledge. Ten pledges *are set* down here from the plaintiff, or ten causes of *swing* for a pledge. They shall be according to dignity, a 'smacht'-fine of a pledge of a seventh, or of a pledge of judgment.

Whether it is on the road or at the residence of the plaintiff the defendant offers to accept of ten pledges, *i.e.* ten causes of *swing*, and they were not given to him, it is safe for him to carry off the distress, unless the answer of the plaintiff be, "Give thou to me," says he, "my two pledges or my two causes of *swing*, and I shall give unto thee thy ten pledges;" and if it be *the case*, he shall pay 'eric'-fine according to the nature of the places from which it was carried off.

The period of its stay¹ is the period of its pledges.

Ten pledges here for ten causes of *swing*, or ten causes of *swing* for one pledge from the plaintiff to the defendant; two pledges for two causes of *swing*, or two causes of *swing* for one cause of *swing* from the defendant to the plaintiff; and the law does not require of the defendant to give his two pledges until the plaintiff shall have given his ten pledges to him.

If the plaintiff has offered his ten pledges, and he proclaimed that he would ask a pledge of the defendant, and the defendant did not give it, and he carried off his distress with him, a fine for unlawful distress shall be paid by the defendant.

If the plaintiff has not then offered a pledge, and the defendant has not given any, and the defendant carried off the distress, there are two illegalities face to face.

But if the defendant offered a pledge, and he proclaimed that he would ask a pledge of the plaintiff, but it was not given to him, and he did not carry off the distress, there is a fine for illegality due to the defendant.

The ten pledges here mentioned *as given* by the plaintiff to the

the period of payment. The period of the stay is *the period* of pledges, *i.e.* the period during which it is delayed in the hands of the debtor, is the same as that in which it is right to give out pledges; and it is enough to promise the pledges during this time and a pledge at the end of the *time* of the promise. The period of delay in pound is the period of the payment of debts, *i.e.* the period in which it, the distress, diminishes by *expense* of feeding and tending being subtracted from it, is the same as that in which it is right to pay out the debt for the releasing of the pledge: for a pledge must be given at the end of the stay, and the debts at the end of the delay in pound; this is the *proper* 'offer' of law.

DISTRESS. biobuair na gealla na betir do rghur troirce po aicneir neurum
no neamneaurum. Ir iat na geall aoir punn o biobuair do
pechemum toicheora, lan gille no let gille, .i. lan gille peri
nearum, no letgille peri nemnerum.

Caixiat prithpola dilpi a popnairdm? eacup colla
riach adgaircup dicolla athgabail, beyna a epic.

Κατ'ιατ πριτ'ηπολ α. κατ'ιατ να πρι'πολ ποιντατ'α υατ'ρι αρ
 in pechimuin toicheosa, αρ δι'βρι τατ'ηγαβαλ υατ'ρι πορ να'οτ'η να'ρεαρ'η.
 Θα'υρ colla p'ach .i. e'uyr colla na hat'ηgaβαλ α col'αβ na p'ach
 acuytuyr αν'ο .i. αν'ηπο πο π'ecuyr β'οβ'ο .i. 'ον pecheam ay'p .i. αρ π'
 αγ'η β'οβ'ο .i. In pechem τοι'ε'οα: cin p'ogail cen b'let o'am. Ατ'η'α-
 βαλ, β'ερ'ηα .i. β'ερ'ηατ' p'η αρ αγ'η. Α ε'p'ic .i. α π'ri ic υα'ημ'ρι αρ
 in β'οβ'ο .i. in p'ogail ocuyr in b'let ocuyr in λ'οβ'ο; υα'p η' β'ερ'η, .i. αρ
 in pechiu'm no'p γα'β, υα'p 'ο πο'ε'υ'p n'ι δι.

Diabluḡ pīaḥ neḥ atpōille aṇṇ pīam pīa tobūc īr
de iap nelo. Ipeḥ do tobūic do athgabail pīr chinat,
acht nīp imbleoguin.

Պատկերում քառակուսիների կողմերի երկարությունները հավասար են, քանի որ քառակուսիների կողմերը հավասար են։

Cach ni po dičmur don ačhğabail ıfı coluinn fıach tet, ocuf ačhğabail eile ıma poğelta ocuf ıma blet.

Cach ni na ro diemurpur eunio in eintach ein a taburp
a briacuñ, macail do, aet arailpa sono. Ni cuming imorpo
ni diemur.

Aní íma tpoirceann neach a diabluò maòra cur mb cuthuma
 firi cuic reoit a nòligur o rin amach. Cuic reoit i nònligeò

defendant are the pledges which would be *required* to stop fast-
ing according to the nature of necessity or non-necessity. The
two pledges here mentioned *as given* by the defendant to the plain-
tiff are full-pledge and half-pledge, i.e. full-pledge for the necessity,
or half-pledge for the non-necessity.

What are the lawful returns in a bargain of *set off*?
Let the original debts claimed be balanced against
the original distress, the difference to be paid for.

What are the returns ('frith-fola'), i.e. what are the true goods ('fir-fola')
which I shall obtain from thee, said the plaintiff, for returning thee thy distress
for the bargain of *set off* made by the contract-binder? Let the original
debts be balanced, i.e. let the original of the distress be put against the
original debts in this case, i.e. this is what the defendant said, i.e. to the plaintiff
again, i.e. the pleader of the defendant said (*or made answer*). The plaintiff
replied: without allowing me trespass or *expense* of tending? The distress,
the difference, i.e. *The distress* is defective said the pleader of the plaintiff.
To be paid for, i.e. they shall be truly paid for by me, i.e. *I will pay* for the
trespass, the tending, and the forfeiture; "for it is defective," i.e. said the
plaintiff who took it (*the distress*), for a part of it has been lost.

Double the debts which were due before distrain-
ing is due after absconding. This is what is forfeited
of the distress of the debtor, but not of the kinsman-
surety.

Double the debts, i.e. double the debts which are due in the case before
fasting is what is due in the case after evading *both* notice and fasting, and this
double is obtained from the kinsman-surety whether he eludes or does not elude.
But not of the kinsman-surety, i.e. I make an exception that he is not to
be a kinsman-surety, for as it is double *the debts* from the debtor, it is restitution
or distress from the kinsman-surety; or double *the debts* cannot be obtained from
him without serving him with notice again, but it can be obtained from the debtor;
or double cannot be obtained from the kinsman-surety in any distress along with
restitution.

Every part of the distress that is injured shall go for the original
debts, and another distress shall be taken for the *expense* of feeding
and for *the expense* of tending.

Every part of the distress that is not injured the debtor may
prevent from going for the original debts, if he likes, but so as
he pays otherwise. He cannot, however, save the part that is
injured.

The double of *the debt* for which one *fasts* is due from him (*the*
person who absconds), and what he owes from that out is equal to

DISTRESS. *gacha tpoirce ón fín amuis innrin, a cutpuma dono on fín tall; no dono ír amuil cach naégabail éeáha .i. let cacha athgabala ma hinbligeo co cumuil o fín co réct cumuilib; it ceitri ba o fín amach; cuic ba imorpo in gá inbligeo aégabala do gner.*

Ní do ruirmeao fopir in tpiét po cintoa fín do fín cun athgabail; ní daim enecunn anaó ma fín cintoa caih faderin gabur athgabail.

Ní do ruirmeao .i. ní nechraó ma cintoa. Ireaó inpreaétnaigeó a ruirua na haégabala. Ír ber runn ar a nanaó do gner do cintoach ireaó ír oitrim do inbleoguin, ocup ar maíthe ne hinbleoguin do nóur fín. Fotaigie muige ocup cpucha anaó ocup oitrim do cintoa, ocup ní potuigie aét anuó og inbleoguin. Ceitne reoit cintoig aigneécpur oiaig i noiaig: reoit aine ocup treipe ocup cuicé ocup dechmuide in cintoig fíraua ina cintoib fein cin cumícpua muige na cpiche, ocup do gá inbleoguin dona cpi inbleognab gabur in athgabail ann .i. ma don caé ír cintoa gabur aégabail ina cinuio bdeim.

Ír aen a anaó no turbuide no faep.

Ír aen a anaó .i. ír anaó naine uirpe .i. cia rcpuitiú ann do chintach ocup do inbleoguin fín iméinuga muige ocup cpiche, ní rcpuitear in oitrim naicinta do neécpur .i. ír ó antuib ainmnigécpur aégabail gá cintoig, ír a

¹ *Delay in pound, 'Dithim.'* C. 2722 gives the following commentary, which is somewhat different:—

Éóon. Ír o antuib imorpo ainmnigécpur aégabail cach cintoig, ír ó oitmannab imorpo ainmnigécpur gá aégabail ó ruirua anunn. Anup anaó do gner do cintoach írpéó ír oitrim oinbleoguin, ocup anup oitrim do cintoach írpéó ír anaó oinbleoguin. Ocup ar maí fín hinbleoguin do gnuicpe fín, ocup fapaigie maigie ocup cpucha anaó ocup oitrim do cintoach, ocup ní fapaigie aét anaó nama oinbleoguin. Ocup cécp fcpuiti anaó do cintoa ocup do inbleoguin fín himcpianug muigie ocup cpiche, ní fcpuiti a noitrim aicinta do neachtan óe.

That is, it is from stays the distress of each debtor is named, it is from delays every other distress from that out is named. That which is stay to the debtor is always delay in pound to the kinsman-surety, and that which is delay in pound to the debtor is stay to the kinsman-surety. And it is for the good of the kinsman-surety this is done, and places and territories extend the stay and delay in pound for the debtor, but they extend only the stay for the kinsman-surety. And though the distance of place and territory changes the stay for the debtor and the kinsman-surety, it does not change the natural delay in pound of either.

In C. 686 there are nearly the same words, and the following is added:—

Cach bail a nabpam anaó fúnno, ír do cintoach atá, ocup caé bailé i

five 'seds.' Five 'seds' for every unlawful fasting are due of the plaintiff, and their equivalent from the defendant; or, indeed, it is like every other distress, i.e. the half of every distress *is the fine* for taking it unlawfully, as far as one 'Cumhal,' from that to seven 'Cumhals;' there are four cows from that out; five cows, however, is always *the fine* for illegal distress.

DISTRESS.

Not reckoned under this head is the debtor in the distress; honor-price does not give stay if the distress has been taken for the liability of the person himself.

Not reckoned, i.e. the debtor is not included in it. The regulation of the prescription of the distress is mentioned here. That which is stay to the debtor is always delay in pound¹ to the kinsman-surety, and it is for the good of the kinsman-surety that this is done. Places and territories extend the stay and the delay in pound for the debtor, but they only extend the stay for the kinsman-surety. Four 'seds' of the debtor are reckoned in succession: i.e. 'seds' of one day, and of three days, and of five days, and of ten days, for his own liabilities without change of place or territory, and the distress is taken in this instance from each of the three kinsman-sureties, i.e. if the distress has been taken from a person who is the debtor for his own liability.

The stay is one day except where exemptions or exertions *extend it*.

The stay is one day, i.e. there is a stay of one day upon it (*the distress*), i.e. although the stay changes for the debtor and the kinsman-surety according to the distance of place and territory, their natural delay in pound is not changed for either, i.e. it is by stays the distress of the debtor is named, and by delay in pound every

naðairi ðitim ip ðimbleogam. Ocuð ðæðam ðainic i ðorðaða anða ðunno, ocuð ðæðam aile i ðorðaða in ðæðam ðin, ocuð ðæðam aile ina ðorðaða-ðarðe, ocuð ðæðam aile ina ðorðaða-ðarðe. Ocuð ða ma ðin æn baðl no ðiðarð in ðæðam ocuð in ðanarð ðo ða comðeimniðarð in ðanarð ocuð in ðæðam, ocuð cðð bé ðib ða ðia cððaða beð ðin buð anarð, ocuð cðð moð so ðæðmaib ðiðarð ann ðeðarð anðeðarð ðorðcuðit anarð ocuð ðitim i con ðimtað, ocuð ðorðcuðit moðro anarð ðimbleogam ocuð ni ðorðcuðenno ðitim.

Wherever we say 'stay' here it refers to the debtor, and wherever delay in pound is mentioned it refers to the kinsman-surety. And it was a *period of* protection that occurred at the expiration of the stay here, and another *period of* protection at the end of that, and another *period of* protection after that, and another *period of* protection at the end of that again. And if the *period of* protection and the stay came together they shall run together, and whichever of them is longer shall be the stay; and whatever number of *periods of* protection shall come in succession, they shall change the stay and the delay in pound for the debtor, and they shall change the stay of the kinsman-surety, but not the delay in pound.

DISTRESS. **DIÉT**mannuib̄ imurpó aínmuiḡtur, gac̄ athgabáil ó ruiḡuó inunn. **NO** turbuir̄e .i. galuir̄ .i. turbuir̄e at̄gabala r̄loiḡeó amuiḡ gonur̄ ocuṛ loir̄gar; alail̄e iṛ éc̄ fir̄ muinnt̄ire, p̄rtaó pl̄atha, delm̄ cumneal̄g tuatha, 7r̄l. **NO** r̄aer̄ .i. lubra .i. beó a cobuir̄ sell̄ aḡa ruar̄lugaó a l̄aíñ nech̄ eile; ro r̄atuḡr̄uṝe, .i. caó n̄i uib̄, anaō ocuṛ diétim̄ aḡ cin̄tué, ocuṛ anaō aḡ inbleoḡuin, ocuṛ noch̄a r̄aiḡeánn̄ diétim̄ aḡ inbleoḡuin.

Fil̄ athgabail̄ nuíne anar̄ r̄r̄i aile.

.1. **r̄ÉT** aíne cin̄taiḡ, ocuṛ **r̄ÉT** aíne inbleoḡuin iṛ n̄era ruaḡail̄ter̄ run̄o .i. anaō cin̄taiḡ eo r̄aíre do r̄im̄i run̄o, ocuṛ diétim̄ ininbleoḡuin .i. fil̄ athgabail̄ ar̄ ata anuó n̄aíne a buaiḡur̄ aḡta aḡ in cin̄tuch, anur̄ r̄r̄i haile .i. a buaiḡur̄ anta ocuṛ r̄oer̄um̄ aḡ in chin̄tuch r̄in̄ .i. aíne aic̄nta in r̄eoir̄ ocuṛ aen̄ in r̄ir̄ b̄ buair̄ó. Anuó aic̄nta cin̄tuiḡ ro r̄ír̄ cu r̄aoir̄e no cin̄ traoir̄e, ocuṛ diétim̄ inbleoḡuin. Caó baile at̄aít̄ d̄a r̄oer̄um̄ no a r̄r̄i ann̄, deḡuó in̄deḡuó tan̄gatur̄ na r̄oer̄m̄u ann̄, ocuṛ d̄amaó i naín̄fecht̄, noch̄a bia aét̄ in r̄oer̄um̄ bu r̄ia. Ocuṛ i b̄roir̄bat̄o r̄é aḡta táim̄ic̄ in r̄oer̄am̄ ann̄, ocuṛ d̄ama r̄e r̄é nan̄ta, iṛeó buó anuó di r̄e r̄é in r̄oer̄ma uil̄i. Anur̄ anaō do chin̄tuch do ḡr̄éir̄ iṛeó iṛ diétim̄ do inbleoḡuin, ocuṛ anur̄ diétim̄ do cin̄tué iṛeó anuó do inbleoḡuin, ocuṛ iṛ ar̄ maíthe r̄r̄i hinbleoḡuin do ḡn̄ichur̄ r̄in̄. Cach̄ baile a nab̄rum̄ anaō iṛ do cin̄tuch ata, ocuṛ cach̄a nab̄rum̄ diétim̄ do inbleoḡuin.

SÉT aíne in chin̄taiḡ in̄a l̄aíñ buóein̄ a naenmuiḡ anaō n̄aíne aṝi ocuṛ diétim̄ r̄reir̄. Anaō r̄reir̄i ocuṛ cuic̄te ocuṛ dechmuir̄e aḡ na r̄r̄i hinbleoḡuib̄, ocuṛ diétim̄ n̄aíne ac̄uó uile.

SÉT r̄reir̄i in chin̄tuiḡ i na l̄aíñ buóein̄ a naenmuiḡ anuó r̄reir̄e aṝi diétim̄ cuic̄te, anuó cuic̄te ocuṛ dechmuir̄e ocuṛ aine d̄eó ac̄ na r̄r̄i hinbleoḡuib̄, ocuṛ diétim̄ r̄reir̄i ac̄uó uile.

SÉT cuic̄te in cin̄tuiḡ in̄ a l̄aíñ buóein̄ an̄ aen̄ muó anaō cuic̄te aṝi ocuṛ diétim̄ dechmuir̄e. Anaō dechmuir̄e ocuṛ aíne

other distress from that out. Or exemptions, i.e. diseases, i.e. the exemptions of the distress are *the case of a host being outside which wounds and burns; also the case of the death of a man of the family, or of making the grave of the chief, or of making the treaty of a territory, &c.* Or exertions, i.e. work, i.e. to be assisting hostage-sureties by redeeming them from the hands of another person; these, i.e. each and every one of them, shall lengthen the stay and the delay in pound for the debtor, and the stay for the kinsman-surety, but they do not lengthen the delay in pound for the kinsman-surety. DISTRESS.

There is a distress of one day, which is delayed for two days.

That is, the 'sed' of one day of the debtor and the 'sed' of one day of the nearest kinsman-surety are regulated here, i.e. the stay of a debtor with 'saire'-privilege is here referred to, and the delay in pound of a kinsman-surety, i.e. there is a distress upon which there is a stay of one day in right of stay with the debtor, which is delayed for two days, i.e. this in right of stay and 'saire'-privilege with the debtor, i.e. the natural one day of the 'sed' and the one day of the defendant. The following is the natural stay of the debtor with 'saire'-privilege or without 'saire'-privilege, and the delay in pound of the kinsman-surety. Wherever there are two *periods* of protection or three, it was in succession the *periods* of protection occurred in this case, and should they occur at the same time, only the longest *period* of protection will be *allowed*. It was at the expiration of the stay that the *period* of protection occurred, and if it was during the stay, the stay then will be extended throughout the whole length of the *period* of protection. That which is the stay of the debtor is always the delay in pound of the kinsman-surety, and that which is delay in pound to the debtor is stay to the kinsman-surety, and it is for the good of the kinsman-surety that this is done. Wherever we mention stay it is to the debtor it refers, and wherever we mention delay in pound it is to the kinsman-surety.

The 'sed' of one day of the debtor in his own possession^a in one place has a stay of one day and a delay in pound of three days. The three kinsmen-sureties have *respectively* stay of three days and five days and ten days, and they all have a delay in pound of one day. Ir. Hand.

The 'sed' of three days of the debtor in his own possession^a in one place has a stay of three days and a delay in pound of five days, and the three kinsmen-sureties have *respectively* a stay of five days and ten days and eleven days, and they all have delay in pound of three days.

The 'sed' of five days of the debtor in his own possession^a in one place has a stay of five days and a delay in pound of ten days. And the

DISTRESS. **ΔΕΕ** **ΟΟΥΡ** **ΤΡΕΙΡΕ** **ΔΕΕ** **ΑΣ** **ΝΑ** **ΤΡΙ** **ΗΝΒΛΕΟΓΝΙΒ**, **ΟΟΥΡ** **ΤΙΤΙΜ** **ΕΙΣΙΤΕ** **ΑΥΤΟ** **ΥΙΛΕ**. **ΣΕΤ** **ΔΕΧΜΥΙΔΕ** **ΙΝ** **ΧΙΝΤΥΙΣ** **ΙΝΑ** **ΛΑΙΜ** **ΒΥΘΕΙΝ** **ΙΝ** **ΑΕΝ** **ΜΥΙΣ** **ΑΝΥΟ** **ΔΕΧΜΥΙΔΕ** **ΑΙΡ** **ΟΟΥΡ** **ΤΙΤΙΜ** **ΝΑΙΝΕ** **ΔΕΕ**; **ΑΝΥΟ** **ΝΑΙΝΕ** **ΔΕΕ**, **ΟΟΥΡ** **ΕΙΤΙΡΕ** **ΔΕΕ**, **ΟΟΥΡ** **ΕΙΣΙΤΕ** **ΔΕΕ** **ΑΣ** **ΝΑ** **ΤΡΙ** **ΗΝΒΛΕΟΓΝΙΒ**, **ΟΟΥΡ** **ΤΙΤΙΜ** **ΔΕΧΜΥΙΔΕ** **ΑΥΤΟ** **ΥΙΛΕ**.

Οουρ ερίχ.

.1. **ΕΙΟ** **ΒΕ** **ΡΕΤ** **ΥΙΛΕ** **ΣΑΒΥΡ** **ΤΑΡ** **ΕΡΙΧ** **ΙΝ** **ΤΡΙΧΑΤΜΑΘ** **ΕΤ** **ΙΝ** **ΑΤΣΑΒΑΙΛ** **ΔΟ** **ΧΙΝΤΥΑΧ**, **ΙΡ** **ΑΝΥΟ** **ΔΕΧΜΥΙΔΕ** **ΑΙΡ**, **ΟΟΥΡ** **ΝΑΙΝΕ** **ΔΕΕ**: **ΑΝΥΟ** **ΙΜΥΡΠΟ** **ΝΑΙΝΕ** **ΔΕΕ** **ΟΟΥΡ** **ΤΡΕΙΡΙ** **ΔΕΕ** **ΟΟΥΡ** **ΕΙΣΙΤΕ** **ΔΕΕ** **ΡΟΡΥΑ** **ΕΥΡ** **ΝΑ** **ΤΡΙ** **ΗΝΒΛΕΟΓΝΙΒ**, **ΟΟΥΡ** **ΤΙΤΙΜ** **ΝΑΙΝΕ** **ΥΑΘΑ** **ΟΟΥΡ** **ΤΡΕΙΡΙ** **ΥΑΘΑ** **ΟΟΥΡ** **ΕΙΣΙΤΕ** **ΥΑΘΑ** **ΟΟΥΡ** **ΔΕΧΜΥΙΔΕ** **ΥΑΘΑ** **ΡΟΡΥΟ** **ΥΙΛΕ**.

ΜΑΡ **ΤΑΡ** **ΔΑ** **ΕΡΙΧ** **ΤΡΙΧΥΙΤ** **ΕΤ** **ΣΑΒΥΡ** **Ε**, **ΙΡ** **ΑΝΥΟ** **ΡΙΧΤΙΣΕ** **ΡΑΙΡ** **ΟΟΥΡ** **ΤΙΤΙΜ** **ΝΑΙΝΕ** **ΡΙΧΥΤ**.

ΜΑΡ **ΕΡΙΧ** **ΤΡΙ** **ΤΡΙΧΥΙΤ** **ΕΤ** **ΣΑΒΥΡ** **Ε** **ΙΡ** **ΑΝΥΟ** **ΤΡΙΧΥΙΤ** **ΑΙΘΕ** **ΡΑΙΡ**, **ΟΟΥΡ** **ΤΙΤΙΜ** **ΝΑΙΝΕ** **ΔΕΕ** **ΑΡ** **ΡΙΘΙΤ**, **ΟΟΥΡ** **ΝΟΧΑ** **Η** **ΡΥΙΛ** **ΒΕΘΒΙΡ** **ΡΕ** **ΑΝΤΑ** **ΝΑ** **ΤΙΤΙΜΑ** **ΔΟ** **ΔΕΟΡΥΙΘ**, **ΑΕΤ** **ΑΜΥΙΛ** **ΑΤΑ** **ΔΟ** **ΥΡΥΡΥΙΘ** **ΟΟΥΡ** **ΑΤΑ** **ΔΟ** **ΔΟΕΡ** **ΡΟ** **ΑΙΣΝΕΘ** **ΝΕΡΥΙΜ** **ΝΟ** **ΝΕΜΗΝΕΡΥΙΜ**, **ΝΟ** **ΛΥΙ** **ΝΟ** **ΕΛΕΘΕ**, **ΟΟΥΡ** **ΝΙ** **ΡΥΙΛ** **ΡΟΡ** **ΔΟ** **ΜΥΡΙΘΟΡΤΑ**.

Ρο ρυριυτ αντα ουρ τιτμυνν.

.1. **ΡΟΧΛΥΤ** **ΜΥΙΣΕ** **ΟΟΥΡ** **ΕΡΙΧΑ** **ΑΝΥΟ** **ΟΟΥΡ** **ΤΙΤΙΜ** **ΕΙΝΤΥΙΣ**, **ΟΟΥΡ** **ΑΝΥΟ** **ΙΝΒΛΕΟΓΥΙΝ** **ΟΟΥΡ** **ΝΙ** **ΡΟΧΛΥΤ** **ΤΙΤΙΜ**. **ΑΕΤ** **ΑΝΥΟ** **ΕΙΝΤΥΙΣ** **ΤΙΤΙΜ** **ΙΝΒΛΕΟΓΥΙΝ** **ΟΟΥΡ** **ΤΙΤΙΜ** **ΕΙΝΤΥΙΣ** **ΑΝΑΘ** **ΙΝΒΛΕΟΓΥΙΝ**, **ΟΟΥΡ** **ΙΡ** **ΑΡ** **ΜΑΙΤΕ** **ΡΥΡ** **ΙΝ** **ΙΝΒΛΕΟΓΥΙΝ** **ΔΟ** **ΝΙΘΥΡ** **ΡΙΝ**.

ΜΑΡ **Α** **ΝΑΕΝ** **ΕΡΙΧ** **ΑΤΑ** **ΙΝ** **ΡΕΧΙΜ** **ΤΟΙΧΕΘΑ** **ΟΟΥΡ** **ΙΝ** **ΒΙΘΒΥΙΘ**, **ΜΥΙΣΕ** **ΔΟ** **ΡΙΑΣΥΙΛ** **Ο** **ΡΟΡΥΡ** **ΙΝ** **ΒΙΘΒΥΙΘ** **ΔΟ** **ΡΟΡΥΡ** **ΙΝ** **ΡΕΧΙΜΑΝ** **ΤΟΙΧΕΘΑ**. **ΟΟΥΡ** **ΜΥΝΑ** **ΒΕΘ** **ΙΤΙΡ**, **ΜΥΙΣΕ** **ΔΟ** **ΡΙΑΣΥΙΛ** **Ο** **ΡΟΡΥΡ** **ΙΝ** **ΒΙΘΒΥΙΘ** **ΔΟ** **ΗΟΡ** **ΝΑ** **ΕΡΙΧΕ**, **ΟΟΥΡ** **ΡΟΝ** **ΚΟΙΜΛΙΝ** **ΔΟ** **ΜΥΙΣΙΒ** **ΒΕΑΡ** **ΕΤΥΡΥΡΥΟ** **ΡΑΙΤΙΣΕΘ** **ΣΑΘ** **ΜΑΘ** **ΤΙΒ** **ΙΜΑ** **ΔΥΛ** **ΙΡ** **ΜΥΝΝ** **ΙΡ** **ΝΕΑΡΑ**, **ΟΟΥΡ** **ΔΕΧΜΥΙΔΕ** **ΤΟΡΜΥΙΣΕΘ** **ΙΝ** **ΕΡΙΧ** **ΙΡ** **ΝΕΑΡΑ**, **ΟΟΥΡ** **ΕΑΧ** **ΕΡΙΧ** **ΔΟ** **ΡΙΑ** **ΙΝ** **ΜΙΡ** **ΡΕΑΘΝΟΙΝ** **ΕΡΥΝΟ**.

1 'Magh'-spaces, literally *plains*, i.e. spaces at the end of which were stations at which the cattle had to stop to be fed. A 'magh'-space is defined in page 109 *infra* to be that extent of ground over which the sound of a bell or crow of a cock could be heard.

2 *Five days*. The time to be added for every territory is not stated, but as ten days is the time for two territories, it is conjectured that the time for each territory is five days, save in excepted cases.

three kinsmen-sureties have *respectively* a stay of ten days and eleven days and thirteen days, and they all have a delay in pound of five days. The 'sed' of ten days of the debtor in his own possession^a in one place has a stay of ten days and a delay in pound of eleven days; and the three kinsmen-sureties have *each* a stay of eleven days, and fourteen days, and fifteen days, and they all have a delay in pound of ten days.

DISTRESS.

—
Ir. Hand.

And territory.

That is, whatever 'sed' is carried beyond a territory of the extent of a 'trichuit cet' in distress from a debtor, there is a stay of ten days upon it, and a *delay in pound* of eleven days; but the three kinsmen-sureties have *respectively* stay of eleven days and thirteen days and fifteen days upon them, and a delay in pound of one day and three days and five days and ten days upon them all.

If it has been taken beyond two territories each of the extent of a 'trichuit cet', there is a stay of twenty days upon it and a delay in pound of twenty-one days.

If it has been carried *over* a territory of the extent of three 'trichuit céts', there is a stay of thirty nights upon it, and a delay in pound of thirty-one days, and there is no difference in the time of stay or delay in pound for a stranger, but *his case is the same* as that of the native *of the territory* or the bondsman according to the nature of necessity or non-necessity, or of the lowest or highest person, neither is there in the case of a thing cast up by the sea.

Territories extend stays and delays in pound.

That is, *the extent of* places and territories lengthen the stay and the delay in pound of a debtor, and the stay of the kinsman-surety but not his delay in pound. The stay of the debtor is the delay in pound of the kinsman-surety and the delay in pound of the debtor is the stay of the kinsman-surety, and it is for the good of the kinsman-surety this is done.

If the plaintiff and the defendant are in the same territory, the 'magh'-spaces¹ from the residence of the defendant to the residence of the plaintiff shall regulate it (*the length of stay and delay in pound*). But if they are not *resident in the same territory*, the 'magh'-spaces from the residence of the defendant to the border of the territory shall regulate it (*the length*), and each of the 'magh'-spaces between them shall extend the time *five days*² in going to the next territory, and the next territory to that shall increase it to ten days, and *five days*² shall be added for every territory until it amounts to a month for all Erin.

DISTRESS.
c. 2723.

Deṛ aen ināen meathur [iṛ tpeṛi in āla muigh, iṛ cuicthi i tpeṛ muigh, iṛ dechma a cethraime muigh, iṛ aone deḡ a cuicēdh muigh, iṛ tpeṛi deḡ a peiredh muigh, iṛ cuicte deḡ a pechtmaḡ muigh, cen mocha reḡ aṛa mbiaḡh anaḡh naíne iṛin aon maḡh uair].

.1. tṛí reoit aṛ a mbia anuḡ naíne in aen muigh uair. Reḡaḡ reḡt muige do ceitṛi rétuib cintuig aṛin ro ríṛ. Set aíne cintuig iṛi tocaitium reḡt muige iṛ cuicte deḡ a anuḡ ocuṛ fichuig a dicitim; no cumā tpeire ocuṛ cuicte ocuṛ deachmuirḡ ocuṛ aine deḡ anuḡ cintuig do ḡréṛ.

1ṛ fichatmaḡ anuḡ reoit tpeiri, ocuṛ iṛ aen fichut a dicitim. 1ṛ aen fichut anuḡ a reoit cúicte, iṛ tpeiri fichut a dicitim. 1ṛ tpeire fichat anuḡ a reoit deachmuirde, iṛ cuicte fichut a dicitim.

Set aine in céṛ inbleoḡuin .1. a mac ocuṛ a uia, iṛ fichatmaḡ a anuḡ iṛi tocaitium reḡt muige, ocuṛ dicitim naíne.

1ṛ aen fichut anuḡ reoit tpeiri, ocuṛ iṛ tpeiri a dicitim. 1ṛ tpeire fichut anuḡ reoit cuicte, ocuṛ iṛ cuicte a dicitim.

1ṛ cuicte fichut anuḡ reoit deachmuirde, ocuṛ iṛ deachmuirḡ a dicitim.

Set aine inbleoḡuin meadonuig, .1. a innua ocuṛ a iarmua, iṛ aen fichatmaḡ a reḡtmaḡ a ana, ocuṛ iṛ aen a dicitim.

1ṛ tpeire fichutmaḡ anuḡ reoit tpeire, ocuṛ iṛ tpeire a dicitim.

1ṛ cúic fichut anuḡ reoit cuicte ocuṛ iṛ cuicte a dicitim.

1ṛ fichatmaḡ anuḡ reoit cuicte deachmuirde, ocuṛ iṛ deachmuirḡ a dicitim.

Set aine inbleoḡuin ó a reḡt deḡ aimach ocuṛ iṛ tpeire fichut a anuḡ a reḡtmaḡ maigē, ocuṛ iṛ aen a dicitim.

There is one day for one 'meathus'-space, three days DISTRESS.
for the second 'magh'-space, five days for the third
'magh'-space, ten days for the fourth 'magh'-space,
eleven days for the fifth 'magh'-space, thirteen days
for the sixth 'magh'-space, fifteen days for the seventh
'magh'-space, except *in the case of* the 'sed' upon which
there is a stay of one day in one 'uais-magh'-space.

That is, there are three 'seds' upon which there is a stay of one day in one 'uais-magh'-space. The seven 'magh'-spaces of the four *kinds of* the 'seds' of the debtor are considered down here. The 'sed' of one day of the debtor after passing seven 'magh'-spaces has a stay of fifteen days and a delay in pound of twenty days; or the stay of the debtor is three days and five days and ten days and eleven days at all times.

The stay of the 'sed' of three days is twenty days, and its delay in pound is twenty-one days. The stay of his 'sed' of five days is twenty-one days, and its delay in pound twenty-three days. The stay of his 'sed' of ten days is twenty-three days, and its delay in pound twenty-five days.

The 'sed' of one day of the first kinsman-surety, i.e. his son and his grandson, has a stay of twenty days after passing seven 'magh'-spaces, and a delay in pound of one day.

The stay of his 'sed' of three days is twenty days, and its delay in pound is three days. The stay of his 'sed' of five days is twenty-three days, and its delay in pound is five days.

The stay of his 'sed' of ten days is twenty-five days, and its delay in pound is ten days.

The 'sed' of one day of the middle kinsman-surety, i.e. the great grandson and the great great grandson, has a stay of twenty-one days in the seventh 'magh'-space, and a delay in pound of one day.

His 'sed' of three days has a stay of twenty-three days, and a delay in pound of three days.

The stay of his 'sed' of five days is twenty-five days, and its delay in pound is five days.

The stay of his 'sed' of fifteen days is thirty days, and its delay in pound is ten days.

The 'sed' of one day of a kinsman-surety from seventeen *persons* out has a stay of twenty-three days in the seventh 'magh'-space, and a delay in pound of one day.

DISTRESS. 1r cuicte fichut anao feoit tpeirfe, ocuf 1r tpeirfe a dithim.

1r trichatmað anao feoit cúicte, ocuf 1r cuicte a dithim.

1r áine déc ar fichat anao feoit dechmuirde, ocuf 1r dechmuirde a dithim.

Ocuf na beð feðað muigfe ó rin amach imor mað anta; no dono tormuigfe muigfe anta iar feét maigfe amuil tormuigfe reampa; ocuf ni tiasuit muigfe 1 nairium ó teacuit cricha, ocuf 1r dechmuirde im crich ciðbeð rét; no dono cumað la toeb anta aicinta in feoit no beð in dechmuirde, ocuf dechmuirde cachá criche ciðað mda.

Deaf anuo naine maen muig 1r cuicte déc anuo feétmað muig. Deaf tpeirfe in aen muig 1r fiche anuo feétmað mað. Deaf cuicte 1 nean mað 1r aine fichut 1 feétmað mað. Deaf dechmuirde 1 naen mað 1r tpeirfe fichut 1 feétmað mað. Deaf áine déc in aen mað 1r cuicte fichut feétmað mað. Deaf tpeirfe déc in aen mað 1r trichatmað 1 feétmað mað.

Ocuf 1r é mað na haðgabala annro airiut no cluintiur gút cluic, no gair in caisig ceare, ocuf 1r cutruma faiche na mbeac reffin, ocuf faite in beara airiul, ocuf 1r iat rin tri muigfe comairda in reanðurá.

1r dithim tpeirfe do gér do rét áine cintuig ciðbeð mað, ocuf 1r dithim cuicte dia rétuib tpeirfe, ocuf dithim deachmuirde dia rétuib cuicte, ocuf dithim áine déc dia rétuib deachmuirde.

1r dithim naine imurro do inbleoguin ciðbé anuo deaf do fair, ocuf dithim tpeirfe for rét tpeirfe do, dithim cuicte for rét cuicte, ocuf dithim deachmuirde for rét deachmuirde.

Deaf anuo naine do chintuch bno tpeirfe do céo inbleoguin,

The stay of his 'sed' of three days is twenty-five days, and its DISTRESS. delay in pound is three days.

The stay of his 'sed' of five days is thirty days, and its delay in pound is five days.

The stay of his 'sed' of ten days is thirty-one days, and its delay in pound is ten days.

And there is no consideration of 'magh'-space from that out to increase *the period of the stay*; or, *according to others*, 'magh'-spaces extend *the period of the stay* after the seven 'magh'-spaces as they extend it before them; and 'magh'-spaces do not come into reckoning after the territories have *come into reckoning*, and ten days *are allowed* for one territory whatever the 'sed' may be; or else the ten days shall be added to the natural stay of the 'sed,' and ten days *shall be allowed* for every territory, be there ever so many.

When there is a stay of one day for one 'magh'-space there shall be a stay of fifteen days for the seventh 'magh'-space. When there is a stay of three days for one 'magh'-space, there shall be twenty days for stay in the seventh 'magh'-space. When there is a stay of five days for one 'magh'-space there shall be twenty-one days in the seventh 'magh'-space. When it is ten days for one 'magh'-space it shall be twenty-three days in the seventh 'magh'-space. When it is eleven days for one 'magh'-space it is twenty-five days for the seventh 'magh'-space. When it is thirteen days for one 'magh'-space it shall be thirty days in the seventh 'magh'-space.

The 'magh'-space of the distress here means *a space extending* as far as the sound of a bell, or the crow of a barn-door cock could be heard, and the feeding-space of the bees is of the same extent, as also the feeding-space of the deer trap, and these are the three equal 'magh'-spaces of the Sencus Mór.

There is always a delay in pound of three days for the 'sed' of one day of the debtor in every 'magh'-space whatsoever, and a delay in pound of five days for his 'seds' of three days, and a delay in pound of ten days for his 'seds' of five days, and a delay in pound of eleven days for his 'seds' of ten days.

The kinsman-surety has a delay in pound of one day for his 'sed' of one day whatever stay he may have for it, and a delay in pound of three days for a 'sed' of three days, and a delay in pound of five days for a 'sed' of five days, and a delay in pound of ten days for his 'sed' of ten days.

Where there is a stay of one day for the debtor there shall be three days for the first kinsman-surety, and five days for the middle

DISTRESS. ocur bíd cuice do inbleoguin meádonach, ocur deachmuiré don tpeir inbleoguin, ocur ír ná maigib cétna innrin.

Cin tochaiéium cūiche innro; dia mbe tochaiéium inuipio ír deachmuiré cacha cūiche co cūich cuicid; no ír aen deádmuiré friu uile. Paitigir muige ocur cūicha anuo ocur dithim do cinuach, ocur anuo dōinbleoguin, ocur nochā nraicigir dithim do inbleoguin, ocur cío móir do muigib beir ír ná cūichuib, nochā nraicigir anuo tar ná reét muigi cinnreá ar ecinnreac; no dono co ro faoiuigóir cío moir do muige no beé ann co hoir ná cūiche. Ocur in aen cūich atait anō rin in biobuird ocur in fechiuim toicheoda; ocur mun buíeo, ír muige d'aitéigad ó foruir in biobuird co hoir ná cūiche; ocur nochā nraicirir muige anuo tar in cūic, ocur torumuige dechmuiré co hoir in mír.

C. 2726. [Cenmotha aipme ata mo ocur ata lia, achr cia-ringbat anta la ruirriu cūich. Ír tpeir a dithim iar necoir; cenmotha feotu a tarpuachtuim.]

.1. amuil doir arptann tall for feotu a anta oc biobuird do raíre no turbuird, .i. ceanmotha ná feotu tarpuigéur do bpeit for tulla a feanchur, uair nochā n fuil re neacuir doibrig im re nanta, do bet oirruó aét iar neacuir nama, .i. abpeit amach

C. 2726. [ro ceoir].

Aithregeur penecuir ocur iarneacuir ocur eacuir dathgabail ar fut, ocur nochān paitégeur aét eacuir nama dathgabail tulla.

Cío ír penecuir ocur ír iarneacuir, ocur ír eacuir ann? Íreó ír ruinecuir ann, an inbuir ír turca beg no gabad in athgabail ina éáinir in poéum, no in turbuird ann. [Ocur írreó eacuir, in tan ír a naonpecht no gabad an athgabail ocur éáinir in in faoirin no in turbuird]. Ocur íreó ír iar necuir ann, in tan ír taíre for no gabad in athgabail, ocur ní nama on ír

C. 2726.

kinsman, and ten days for the third kinsman-surety, and these in DISTRESS. the same 'magh'-spaces.

This is when a territorial boundary has not been passed over; but should there be such passing over ten days *are allowed* for every boundary until it *reaches* the boundary of a province; or there is only one *period* of ten days for them all. 'Magh'-spaces and territories extend the stay and the delay in pound for the debtor, and the stay for the kinsman-surety, but they do not extend the delay in pound for the kinsman-surety, and though there should be ever so many 'magh'-spaces in the territories, the stay shall not be extended beyond the *limit* of seven 'magh'-spaces for any unlimited *number of spaces*; or *according to others* it shall be extended, according to the number of 'magh'-spaces which it contains be it ever so great, as far as the margin of the territory. In this case the defendant and the plaintiff are *residing* in the same territory; and if this be not the case, the *number* of 'magh'-spaces shall be considered from the residence of the defendant to the border of the territory; and 'magh'-spaces shall not extend the stay outside the territory, but it (*the stay*) shall increase ten days *for each* until it amounts to a month.

Except cattle which *have passed over* more 'magh'-spaces and more territories, though they lessen the periods of stay by 'ruiriudhs' over boundaries. Their delay in pound is three days after *concurrent* driving out; except 'seds' for immediate seizure.

That is, as 'seds' are detained within in the hands of the defendant by 'saire'-privilege or exemption, i.e. except the 'seds' which are seized to be carried away suddenly according to the Senchus Mór, for they have no *privilege* before driving out with respect to stay, but they have a *privilege* after being driven out, i.e. after their being brought out *by the plaintiff* at once.

The *privilege* before driving out and after driving out and this *concurrent* driving out are taken into consideration with respect to distress with time, but *concurrent* driving out only is considered with respect to immediate distress.

What is the meaning of *privilege* before driving out and after driving out? 'Ria-necur'—the *privilege* before driving out—means when the distress had been taken a short time before the *period* of protection or exemption occurred. 'Ecur'—*concurrent* driving out—means when the distress was taken at the same time that the protection or the exemption occurred *for the defendant*.

DISTRESS. ταιρce ραινιc in aθhγaβaιλ co teach in pechemun τοicheδα amach
 ina ταινιc in poeγum, no in τυρbυιρ ταλλ. Ocuγ tet in poeγum
 α ceann na haτγaβaλa ap γut; co naτ poγeλταρ na bleτ na λοbaρ
 ina ceann peneacuγ, ocuγ anuair acopi uoειn. Nocha ngebinn
 γpεim in paeγum iapneacuγ do γpέρ; ocuγ nochα paeγunτo γin
 poγeλτ ocuγ cin bleτ ocuγ cin λοbυρ do τυλ ina ceanno, ce po
 dechγut in poeγum iap neacuγ. Gebro γpεim in τυρbυιρ pια
 neacuγ ocuγ iap neacuγ ocuγ inuair eacuγ buoειn, cuna tét
 poγeλτ inά bleth na λοbυρ i cenn na haθhγaβaλa ap γut nep in
 pέ pin, po aicneρ anτa. Ocuγ nócha ηραιτpeγun peneacuγ ocuγ
 iapneacuγ oathγaβaιλ τυλλα aτ ecuγ nama, uair nochα
 paeγunn in poeγum nach in τυρbυιρ peneacuγ ocuγ iapneacuγ
 cin poγeλτ ocuγ γin bleτ ocuγ cin λοbυρ do τυλ ina ceanno;
 aτ paeγunτo inaimγin ecuγ nama.

Sic. Inaithmuic in focuιλ ιγ peneacuγ, ocuγ ιγ iapneacuγ ocuγ ιγ
 eacuγ do aθhγaβaιλ: bo γabup peneacuγ; coip lem cin poγuιλ
 ocuγ cin bleτ ocuγ γin λοbυρ do τυλ ina ceanno, uair ne na
 bpeit co hinuo upoάλta, ιγ ann tάνιc in paeγum no in τυρbυιρ;
 inuair ιγ eacuγ buoείn inuippo, coip lem beop cuna oίpeρ poγeλτ
 na bleτ na λοbaρ ina ceann, uair ιγ in inuo upoάλta po γabaρ
 in aθhγaβaιλ tάνιc in poeγum no in τυρbυιρ.

Inuair ιγ iapneacuγ imoppo, .i. coip leam cuna oίγpeτ poγeλτ
 ina bleτ ina ceann, uair ιγ iap na bpeit cu puice ineacuγ, .i.
 cu puice in inuo upoάλta amach, cu puice teach in pecheman
 τοicheδα, tάνιc in poeγam ταλλ, uair nochα paeγunτo in poeγum
 in aτγaβaιλ iap neacuγ cin λοbυρ. No dono ιγ coip lium
 cuna tét poγeλτ na bleτ na λοbaρ ina ceann ce po pιατ co
 teach in pechemun τοicheδα, uair tάνιc in τυρbυιρ ταλλ.

‘Iar-necur’—the *privilege* after driving out—means when the distress had been not only taken before, but also had even arrived at the house of the plaintiff before the *period* of protection or exemption occurred. And the *period* of protection comes to the relief of the distress with time; so that neither *expense* of feeding, nor tending, nor forfeiture accumulates upon it before *concurrent* driving out, when there is *concurrent* driving out. The *period* of protection never takes effect after *concurrent* driving out; and though the *period* of protection may occur after *concurrent* driving out, it does not free it (the distress) from *expense* of feeding, or tending, or forfeiture accumulating upon it. The *period* of exemption takes effect before *concurrent* driving out, and after *concurrent* driving out, and at the time of *concurrent* driving out itself, so that neither *expense* of feeding, nor of tending, nor forfeiture accumulates upon the distress with time during its continuance according to the nature of the stay. *Privilege* before driving out and after driving out are not taken into consideration in immediate distress, *concurrent* driving out only being considered; for neither the *period* of protection nor the *period* of exemption frees it before *concurrent* or after *concurrent* driving out from *expense* of feeding, or tending, or forfeiture accumulating upon it; but they free it in the time of *concurrent* driving out only.

Explanation of the terms ‘re-necur,’ and ‘iar-necur,’ and ‘ecur’ in distress:—A cow was taken before *concurrent* driving out (‘re-necur’); I deem it right that neither *expense* of feeding, nor of tending, nor forfeiture should accumulate upon it, for before it was brought to the certain place the *period* of protection or exemption had occurred; but when there is only *concurrent* driving out (‘ecur’), I deem it right also that neither *expense* of feeding, nor of tending, nor forfeiture should accumulate upon it (the distress), for it was when the distress was taken at a certain place that the *period* of protection or of exemption occurred.

And when it is a case of *privilege* after driving out (‘iar-necur’), I deem it right that neither *expense* of feeding nor tending should accumulate upon it (the distress), for it was after bringing it as far as the place where the *privilege* after driving out attaches, i.e. as far as a certain place out, as far, *ex. gr.*, as the house of the plaintiff, that the *period* of protection came for the defendant, for the *period* of protection does not save the distress after driving out from forfeiture. Or else I deem it right that neither *expense* of feeding, nor of tending, nor forfeiture should accumulate upon it even though it had arrived at the house of the plaintiff, for the *period* of exemption occurred to the defendant.



DISTRESS. Fó aicnead ná turbuio a rath no a gairne, ír fái bíaí a re
 cín lobuó; in tan ír íar neacair rín; .i. in tan ír re neacair
 muirpo táinig in faerum no in turbuio ír dechmuio a ré
 ainoirín cín lobuó do dul ina ceann, uáir tét in turbuio ina
 deasuió amach co ná ríauite cu tét lobuó ina ceann; ocu
 nocha tét in foerum ítur ina deuió.

Nach athgabail rairiur fíu anuó ar a cuirichur
 raire, a anuó.

Sic. 8. D. .1. oc buioio iníin dia ngairne in athgabail. Ír oca bíaí a
 anuó, daií ír íar fut in athgabail, .i. rairne in fíu rín fuirne
 fo miaó. Ní cumrghairur anuó ina dithim íar rín, etir cirtach
 ocu inbleoíum .i. la fer ar a ngairne. Do beir in raire
 ádur for anuó, maíor necma di re ná hecár ar athgabail
 íar fut. Ní cumrghairuio a dithim in traire íar neasur, etir
 cirtaí ocu inbleoíum.

Uí ná reth dithim for athgabail íar necur, rethe
 fogla.

.1. ní fuil turbaóa fíu fogla, .i. dia mbe deóbir 1 nam
 fogla ní bí fogla. Dia mbe deóbir a naimíur dithma ní

¹ But the protection does not continue to apply to it after it is out. Dr. O'Donovan observes that this paragraph has been entirely corrupted by the carelessness of transcribers. If restored according to his conjecture, the meaning of the passage would be as follows:—

But when it is after concurrent driving out the period of protection arrived, I deem it right that both expense of feeding and tending, and forfeiture should accumulate upon it; for when the period of protection arrived to the defendant, the distress had been driven out to a *certain* place, such, for example, as to the house of the plaintiff, for the period of protection has no effect upon it after it has arrived at its destination. But this is not the case when a period of exemption has occurred; I deem it then right and just that neither expense of feeding, nor tending, nor forfeiture should accumulate upon the distress, even though it had arrived at the house of the plaintiff before the period of exemption was announced at the house of the defendant. According to the length or shortness of the period of the

According to the nature of the *period of exemption*, as to length or shortness, shall be the time of non-forfeiture; this is after *concurrent driving out*; but when it is before *concurrent driving out* that the *period of protection* or of exemption had arrived, then the time during which forfeiture cannot take place regarding it shall be ten days, for the *period of exemption* continues to apply to it after it is out^(a) and lengthens the time before which forfeiture can take place; but the protection does not continue to apply to it after it is out^(b)¹.

DISTRESS.

^aIr. Follows it out.

^bIr. Does not follow it out.

Every distress which has claim to a stay, upon which 'saire'-privilege is put, its stay—

That² is, this *stay* is with the defendant from whom the distress is taken. The stay shall be with him, for the distress is with time, i.e. the 'saire'-privilege of this man *regulates the proceeding* upon it according to his dignity. Neither the stay nor the delay in pound is afterwards changed, whether with the debtor or kinsman-surety, i.e. with the man from whom it is taken. The 'saire'-privilege, if it should happen before the *concurrent driving out*, puts an end to the stay in distress with time. The 'saire'-privilege does not disturb the delay in pound after the driving out, whether for the defaulter or the kinsman-surety.

Where delay in pound runs upon the distress after *concurrent driving out*, the *penalty* for injury also accumulates.

That is, there is no exemption for the person who commits injury, i.e. if there is necessity at the time of feeding there shall be no *charge for feeding*. If there be necessity at the time of delay in pound there

exemption the distress shall remain free from forfeiture. When it is before the driving out of the distress the period of protection or of exemption occurred, a rule has been made that the distress shall then remain ten days without being affected by forfeiture, for the period of exemption follows the distress out and lengthens the time before which forfeiture can take place. The period of protection, as already observed, does not follow it out at all, and has no effect on the period before which forfeiture can take place.

² *That*. S. D. is placed in the margin of the MS. here. These letters, frequently occurring in the commentary of this and the preceding volume, refer probably to a copy of the 'Sencus,' either the 'Dul Sencus,' i.e., the Sencus Book of O'Scoba, quoted in page 135, or possibly to a copy called 'Sencus Dubh,' or Black Sencus, by way of distinction from the Yellow Book referred to, page 133, from the Irish of which, 'Sencus Buidhe,' the reference S. B., elsewhere occurring may be derived.

DISTRESS. b1 tictium, b1o poḡeilt, .i. du, ba1l1, no inaḡ na peṡeann loḡuḡ 1 ceann na haṡḡabala iar na bpeit amach po1 ecop, peit1o poḡeilt ocu1 bleṡ. Ocu1 tu1bu1o 1in t1ainiḡ 1 naim1111 loṡṡa, ocu1 po a11be11tu1o po cṡto11, 1ao1 1in a1 loḡaḡ h1, ocu1 nocho 1ao1ann a1 poḡeilt na a1 bleṡ, .i. pe 11 tictima pen 1o, ocu1 n1 tu1bu1o. Ocu1 1 ba1l1 ata tuaf 11 na haṡḡaba1a1ḡ n1 tictait na deṡb11, .i. tu1bu1o e11ṡe t1ainic a naim1111 tictma, ocu1 po a11be11tu1o h1 po cṡto11, ocu1 1ao1u1o h1 11111 nṡ 1in, po aicneḡ c1ntaḡh no mb1eoḡu1n, uai1 11 in inaḡ upṡa1ta po ḡabaḡ an tainic in 1ao1um no in tu1bu1o. In uai1 11 iar necu1 imu111o, .i. co11 1em cona t1ḡṡeḡ poḡeilt no bleṡ ina cenn 11111 pechemu1n tictheḡa. Cu1ab a1 anaḡ be1 an aṡḡaba1.

Sic.

1c macu im anta ocu1 im opu1a co11.

.i. e11c111 na1ca a1 in mb1oḡu1o, .i. 1a1the in1cu11 ina 1ṡ11 maḡ mb1eoḡu1n. Inb1eoḡu1n tainic ann 1in pe 11ḡeḡ naṡṡa 1a 111 cumap hanuḡ co11 po beṡ an aṡḡaba1, ocu1 noṡ pe 1ua11ucaḡ aṡḡaba1a tainic ann, aṡ pe n1111aḡ1ṡ po a11be11tu1o ann, ocu1 1amaḡ pe ḡaba1 aṡḡaba1a po a11be11tu1o, no co ḡeḡṡa aṡḡaba1 de 111 in pe 1in, ocu1 po b1aḡ a nṡ n1111aḡ1ṡ 1o co com11n, uai1 11 iar nḡaba1 aṡḡaba1a po a11be11tu1o; 11eḡ 11 ec1n comapṡḡaḡh 1ṡ11 a 1u1 ann 1on pe n1111aḡ1ṡ ocu1 inn anaḡ, ocu1 c1ḡ pe 11ḡ bu1 11a cu1 ab eo bu1 anaḡ 11.

ḡia1l 1o tucaḡ pe comallaḡ 11ḡ1ṡ up1aḡu11, amu1 ata a c11n pe comallaḡ 11ḡ1ṡ canu; no 1ono na beṡ11 ḡe11 in up1aḡu1 1ṡ11; aṡ comait111 aṡḡaba1a in up1aḡu1.

C11eḡ na ḡe11 1o 1e11ec? .i. ḡe11 1o 1o 11a1ṡ 1ao11aṡ, ocu1 pe comall 11ḡ1ṡ ce11111e no beṡ in ḡia1l 1o. Na hu11 ḡia1l u11

¹ *Procedure.* In C. 2155, the time allowed to catch a thief is called *nṡ 1111aḡ1*.

shall be no delay in pound, *but* there shall be *expense of feeding*, DISTRESS.
i.e. when, or where, or in the case in which forfeiture accumulates
upon the distress after its being carried out by *concurrent* driving out,
expense of feeding and tending shall accumulate upon it. *This was*
a case wherein a period of exemption arrived at the time of
forfeiture, and notice was given at once, it (*the distress*) is then
free from forfeiture, but it is not freed from *expense of feeding*
or tending, i.e. this is a case where it was the period of delay in pound
itself, and not that of the exemption. In the case above-mentioned,
in the distresses the necessities do not lessen *the expense of feeding*, i.e.
this was a *period of exemption* which came at the time of the delay
in pound, and notice was given of it at once, and it saves it (*the*
distress) for that time, according to the nature of debtor or kinsman-
surety, for it was at the particular time that the distress was taken
that the protection or the exemption arrived. But when it (*the*
period of exemption) is after driving out, I deem it right that neither
expense of feeding nor tending should accumulate upon it (*the distress*)
with the plaintiff. This is when the distress is upon stay.

He binds securities about a stay and a proper
‘forus’-pound.

That is, he seeks security from the defendant, i.e. there is an
‘inscui’-green in his territory if he is a kinsman-surety. This
was *the case of* a kinsman-surety who came to submit to the law of
stay to discover whether the distress had the proper stay, and it
was not to ransom the distress he came, but he gave the notice for
procedure, and if he should give the notice for taking distress,
distress shall not be taken of him during that time, and he shall
have his time of procedure complete, for it was after taking distress
he gave the notice; what is necessary *to be done* is to strike a
balance between what remains of the time of procedure¹ and the
stay, and whichever of them is the longer shall be the stay for it.

This is *where* a hostage-surety was given for the observing of
‘Urradhus’-Law, such as there is in ‘Cain’-Law for the keeping of
‘Cain’-Law; or, *according to others*, there are no pledges in ‘Urradhus’-
Law at all; *there is* only equal acknowledgment in ‘Urradhus’-Law.

What pledges are these? These are pledges *given* to the chief of
‘daer’-stock, and this hostage-surety is for the observance of the law
of tenancy. *As to* all pledges whatsoever from the pledges of the

DISTRESS. — օ չա չեւիլ ին ալբեչ տարի րսար, յա ր յա ռօջա Բըժեյն առ աղջաԲաւ չաւծեր, յո ռօնօ ին տօջաւ մարծէ՛ճա. Ո՛հ հաւի չեւիլ օճա չեւիլ ին ալբեչ տարի րի ր յա ռօջա ին բեչեման տօլիճեճա ին աճջաԲաւ չարս ԾիԲ, յո ին տօջաւ մարծէ՛ճա, 7րւ.

C. 815,
16, &c.

.1. չաԲըր ար տօճաւ ռօ չոմուծ րի 1 տօճատըր յա չեւիլ ալբեւօր ին ռիճեճօ րօ րի, յո ին լեճԲըր րօ.

[Nach mil րիլ րբեւիԲ Ծույն աճա աղջաԲաւ ռեճճա արի.

Ա րօւ ռօ յաճօ րօր մուճաԲ, ա լար րօր ճարիԲ րի ա ճոտաԲ բաճերիմ. Ծաւճ ռօ եճաԲ աճ րբրիճի, ր ճօմանօ ռօրսուծ.

ԱղջաԲաւ րբճաճ յաճԲաճ իմ Բաւի; ճլօճ ճարիս րա ճի րաճ րաճիարիԲ, ր յարսմ ռօ աճատըր հի ճօմուն յար լաւ ճօ յարճե.

ԱղջաԲաւ ճերճ; տօջար ա յարար մաճ 1 ճիճ, յօ ճրանն արա ռեչ մաճ 1 մԲար, չաճ իմա Բըն օճըր րբճըր ճարիս, օճըր արս ճոնա իմԲե րբիճի, .1. իմօԲի ա յոճե օճըր արճօմլա րօրիս.

ԱղջաԲաւ արճօմ; ճրանօ ճար ա ճօն ԲմԲըր, օճըր արս ար յա Բաճա; մա Բաճա յարիսճե ր Ծույն ճոն արբ. Ա ճօմուն ճօնԲաճաճիլ օճըր ճի օճրաճ, օճըր ճաճ, օճըր օրբճ, օճըր միլճի մա Բեւի 1 րօրս; մաճի Բեճ տօջար ա րլաԲրաճ, օճըր արս լա ճաճ յաճ.

Ճարի աղջաԲաւ ճաճ ար ռաճա.

Ուն. ԱղջաԲաւ չօԲանօ ճետմըր; չաճ իմ ինճօմ օճըր արս յաճ ճերնա աճմաճ րիսրի ճօ յօճերնա ճերճ րիճ ռօ յօճ ճար րար. Ա ճմաճ ճաճ օճն օճ ա մԲի իննճօմ.

Ճար օճըր յաճաճ օճըր ճաճ ար ճաճ օճըր Բեւի, չաճ իմա Բեւի, օճըր արս ռօճի յա յօճերնա աճճի յօճի ճօ յօճերնաճ ճերճ րիճ. Ո՛հ աճաճլօճ, չաԲ ա յաղջաԲաւ աճաճ ճաճ յօրբճար.

ԱղջաԲաւ լեճա; տօջար առ եճիարճ օճըր ա րբաճ. Ո՛հ յաճի

¹ *Dead chief*. In C. 799, մարծաԲաւ, which appears to be synonymous with տօջաւ մարծէճա, is explained to be "cows which are taken from the tenant by the heir of the dead chief."

'aire-tuisi'-chief upwards, it is at his own discretion whether distress is to be taken, or what is the right of the heir of the dead^a chief.¹ *As to* all pledges from the pledges of the 'aire-tuisi'-chief downwards, it is in the choice of the plaintiff whether he will take distress of them, or the right of the heir of the dead chief, &c.

That is, concerning this description of seizure and the deeds by which the pledges are taken, the following law, or the following book treats.

Every beast that is in a man's possession may be legally distrained.

Pigs are shut up in a sty, sheep in a fold, for their own trespasses. 'Bac'-enclosures *are to be used* for horses, except foals, which are enclosed in a 'comann'-pound.

In the distraint of barren cattle that are not in a cowhouse, a stone *is to be thrown* over them thrice before witnesses, after which they are put into a 'comann'-pound for a day and a night.

In the distraint of hens, their 'aras' is taken up if in a house, or *let a stick be put* on their house, if in the top of a tree, a 'gad'-tye *is to be put* at its foot, and a shot to be thrown over them, and a prohibition of hedge-crime that they be not taken away, i.e. let their wings be clipped and a spancel be put upon them.

In the distraint of a chained dog, *let a stick be placed* across his dog-trough, and a prohibition made that he be not fed; if he is fed after *this*, there shall be a man trespass upon him. The same for a dog that herds the cows and for a dung-hill dog, a cat, a lap-dog, and a greyhound, if they be in a residence; if they be not, let the chain be taken up, and a prohibition *given* as to each of them.

What is the mode of distraining every kind of men of art?

Not difficult. *As to* the distraint of a smith in the first place, *let a* 'gad'-tye *be put* on the anvil and a prohibition *issued* that he do not work any material upon it until he cedes justice to thee in what thou suest him for. *Let the same be done in the case of* every one who has an anvil.

As to carpenters and shieldmakers and people of every class using adze and hatchet, *let a* 'gad'-tye *be put* upon their tools, and a prohibition *be issued* to them that they do not construct any piece of work with them until they do justice to thee. If they abscond, take their distress like *that of* every non-professional person.

As to the distraint of a physician: let his horsewhip or his probe be taken up. If he has not the proper number of *such things*, *let a*

DISTRESS. be ʒin coir ʒair, rnaithi immen meir ar neraim ʒon ʒuam.
 — Mani ʒama ir eluo ʒo; ocuʒ apuʒ ʒa caʒ nathgabail ʒib.

ʒithgabail ecir; ʒoʒʒar in nechʒairc, ocuʒ apuʒ na naʒ
 naʒib rri ae co nʒerua ceʒt rrit.

Sic. ʒithgabail aer ecʒra; tʒoʒcaʒ ocuʒ apuʒ iaraʒ naʒ
 nʒeba a paiteʒ naʒ a ceʒo ocuʒ naʒ tet ʒo raʒarʒaʒ ocuʒ ʒo
 auʒairt. Maʒ aer ʒraʒo no aer ceʒoime in ʒoʒ a
 eluice no in ʒoir a alʒoʒe, ocuʒ apuʒ na ro oʒfʒuʒeʒi rʒuʒu,
 ocuʒ naʒ mbentʒar eloc ʒo tʒaʒaib. ʒo aʒrchinoʒaib ocuʒ
 aerʒraʒo inʒo. Ma atʒoaʒ ʒaibteʒ a rʒeʒi no a mbʒiʒta, mana
 tʒncaʒar.

ʒithgabail rʒʒ; tʒoʒcaʒ iar naʒaʒ ʒiʒt. ʒaʒaʒo rʒoʒ
 ʒaʒa mana be aʒthech rʒoʒta ʒair. ʒithʒeʒ buʒaʒo rʒon rʒolaʒʒ
 ʒnʒa rʒʒ ʒo ʒʒeʒ; oʒe ni coʒoʒoʒi a aʒʒgabail aʒrʒʒ. Mana be
 aʒʒeʒ rʒoʒta ʒair, aʒtheʒ a rʒeʒ rʒine inʒa ʒinaʒo, ocuʒ rʒaʒi rʒine
 uʒi ʒair; aʒʒan aʒuʒ ʒo coʒuʒ rʒine, rʒaʒi ʒo caʒʒ ʒair in naʒe.

ʒithgabail ʒam in aʒmʒiʒ eʒʒaʒʒ, cuʒmʒʒʒaʒo in aʒʒaʒʒ
 rʒoʒaib, ocuʒ apuʒ naʒ naʒʒaʒʒ inʒoib; maʒ aʒʒʒaʒʒ tʒaʒʒiʒ, ir
 ʒuʒine ʒin.

ʒithgabail bech, ʒaʒaʒ rʒoʒaib. ʒiʒo aʒ nʒaibteʒ rʒoʒ beʒaib.
 ʒʒ ʒin a mbel. ʒʒ aʒe in. a rʒoʒʒa aʒa aʒnʒom rʒileʒ ʒo ʒiʒ,
 oʒʒaʒ ʒo beʒaib ocuʒ eʒaib ocuʒ mucaib.

Co rʒoʒcoʒʒaʒ rʒoʒʒ na beʒaib rʒoʒiʒ ir aʒnʒa aʒʒgabail neich
 ʒoib rʒeich inʒo aʒe. Nin. ʒo teʒt rʒeʒ tʒiʒ co rʒaʒnaib ʒair.
 ʒiʒeaʒ no baʒʒi bʒaʒte ʒair rʒoʒiʒi inʒa mbech; ocuʒ teʒt iaraʒ
 ʒo tʒimʒiʒeʒ in ʒeʒʒaʒʒ, co rʒaʒnaib ʒair coʒoʒaccaʒ coʒʒin coʒaʒʒoʒu
 aʒʒoʒiʒʒoʒe; ocuʒ iaraʒ rʒoʒʒcoʒʒaʒ rʒoʒʒu rʒinn tʒaʒʒiʒʒʒne. ʒo

¹ 'Gad'-tye. This is inserted on conjecture.

² Boundary pledge. ʒaʒʒiʒʒe would appear, from O'D. 1024, to be a sort of guarantee that the bees would not pass beyond the land which is nearest them on every side, whether much or little.

thread *be tied* about the finger next to his little finger. If he does not cede justice, it is *the same as* absconding on his part; and *let there be notice served* for every distress taken from them (*the physicians*). DISTRESS.
—

As to the distraint of a poet: let his horsewhip be taken up, and a warning given that he is not to make use of it until he cede justice to thee.

As to the distraint of ecclesiastics: fasting *is to take place* and afterwards notice *is to be given* that they say not their Lord's Prayer nor their Creed, and that they go not to the sacrifice nor to the offering. If they be persons in orders or religious persons, *let a 'gad'-tye¹ be put* upon their bell-houses or at the foot of their altar, and a warning given that there shall be no offering made upon it, and that the bells for the hours shall not be rung. This refers to 'Airchinnechs' and persons in orders. If they abscond let their dry cows or their milch cows be seized, unless they tender justice.

As to the distraint of a king; he is fasted on after proper notice. Let his calves be seized if he has not a steward-bailiff. This is an original steward who always sustains the liability of a king; it is what saves him from being distrained as a chief. If he has not a steward-bailiff, his steward of the family *is responsible* for his liability, and the whole tribe is sued with him; their face is safe *from disgrace* in the tribe-law, when each of them is sued with the other.

The mode of distraining oxen in the spring time, is to move their harness upon them, and to give notice that ploughing shall not be done with them; if they are used for ploughing, despite of this, it is a personal crime.

The mode of distraining bees, is to close upon them. What is it that bees are distrained for? For the crime of their mouths. For, the three most difficult *to be estimated* damages which appertain to land are—the damages of bees and horses and swine.

How are the bees made liable, since it is so difficult to seize upon any one of them beyond another? Answer. The man that owns the land goes with witnesses along with him. He takes a 'tideal,' or a flowery branch with him which has been eaten of by the bees; and he goes then to the aperture of the hive, accompanied by witnesses until they have seen them and the mark which they make *on the flowers*; and their violation of boundary pledge is² sworn upon them. This (*i.e. what follows*) is secured to him. He is paid in

fruit, or in a swarm of young bees,^a so that he might have bees of DISTRESS. his own. If this (*the preceding compensation*) is not secured to ^a Ir. Bee- the owner of the land, the penalty of the case is, the lawful right *seed*. to such of them as he shall catch in his land.

Exemption of a distress, i.e. *when there is an army in the field which burns and kills; a retributive army upon his immediate family; the case of raising a tomb to his chief; of a plunderer which has entered the territory not for killing or wounding.*

Each exemption of these must take effect at his house; if he gives a pledge, he engages to restore it (*the distress*) after the exemption according to the judgment of a Brehon.

Every distress, therefore, *which is taken* from a distinguished person, if with time, cannot be distrained again, *within the stay*, but by a king, for he is a chief superior to all others.

As to failure then and absconding with respect to it (the distress). It is failure with respect to it if it does not come on the night in which it is due, unless there has been driving away *by another claimant*. It is absconding if it be a case of ignorance,¹ or driving over the boundary. It is not failure, it is not absconding when it is milk that is engaged in the case, should it be in milkless cows *payment is made*; nor does the man who carries it over the boundary *terminate* the delay in pound if he comes with a pledge or milk, until the man whose it is gives a pledge for it. The man who guards it says: "I shall not accept a pledge now except from a proper person." Let it be proved, then, that the *supposed* ignorance is an absconding as regards the distress, and the fine is recovered.

No person, now, who has not *power of* releasing, has privilege of binding, for he is not entitled to bind.

When a distress is taken, unless an advocate fastens a liability on it, and does so fasten it within five days when it (*the distress*) is brought to a 'forus'-pound, there are five days *more of stay* added after the liability is fastened.

If it were a distress of five days' *stay* that remains for three days, there is a stay of five days *upon it* afterwards.

If it were a distress of three days that remained for five days after the fastening of liability, it is for that *term* the distress is bound afterwards.

For every kinsman surety is worthy; three carry off to four; he does not seize, he does not carry off;

DISTRESS. rlan cach doidiu; daep caé dídell; ar fén ar innó
chun dithma; fpi forup; na comdínadap cin fpi
raiche.

Ar ip innhrai caé nínbleogan, .i. ip co nínhracup ip denzi
dop. Faela triap, .i. feichem ocup fear taircill ocup fiaonairi. Do
cetrup, .i. bretem ocup denaom ocup atrihe fechem fpiarice accra,
.i. curap comgrao do fuioiu fear aogair. Nip nraib nip fuatnge,
.i. ar tet fechem do agabail in fuirg, .i. la bídab. Dlomtar
fiaonairi, .i. aon fiaonairi oc an athgabail, ocup oca curbair. Slan
cach doidiu, .i. ciat be lat ip in lip. Daep caé dídell, .i. ma no
muḡairdeir amuig. Ip de ata, do boing accra eipic, .i. co tet in eipic.
Aip forḡill no ollam filio iche berbai bpih fuirpi. Ar fén ar
innó chunn dithma, .i. o do roétatar ar amboéa cora amail mbeoi
a huiro, .i. oen ocup tripi ḡil. Fpi forup, .i. reigip, .i. ip ano do tuiz
ro deoió. Na comdínadap cin fpi raiche, .i. cio mo in athgabail
olapip in cin.

Fep dono dia nóligeir athgabail do tabairt i forup aóde
naircinne, co tairi fuine nḡreine ni haclaro. Act tairi tect
hi ligi, no éi dono cio pi maroin ap amlaro oligeir. Fepair
boin mana éi aóde luain. Maro co tech inro i mbet duine,
arufurḡleo a tiactain inna athgabail inn aóde rin. Maro
co crucha, no co far, ip ecen fiaonairi inorai occo.

Athgabail dāna laf na aile, ce ni tairi fuine nḡreine, acé
do aip ni ara cloatar a éle pai nuao; ni haclaro. Ip de
iprubrao; denache olomaro fiaoa tar cenó alailé. No acht ti
dāna inaróche fiaó fiaónaib, ocup berair do ara bárach co a
teé faroirin.

Athgabail for niaatar in ecnairc nech no fuataigair, innhrai
oi a farc co inorai cc.

Ma fuaoá noicmarc no fpi aóde ipuig a farc, ar nab
tairé.

Athgabail tra tripi ocup cio aine; ni fuil polta fpi a lera

¹ *Green.* This paragraph of text has been restored by conjecture from the gloss, which is without text in the MS.

² *But.* In the margin of MS. 'apeo,' 'it is,' is suggested for 'act,' 'but.'

a witness is named ; every protected *thing* is safe ; DISTRESS.
 every thing not sheltered is condemned ; they (*the*
 ‘*seds*,’) are collected at the end of delay in pound ;
 at a ‘forus’-pound ; the debt is not to be equalized to
the distress in the green.¹

For every kinsman-surety is worthy, i.e. it is by worthy persons shall be effected *the seizure which is carried off*. Three carry off, i.e. the plaintiff, and a pledge-man, and a witness. To four, i.e. a Brehon, and a binder, and a surety, and a plaintiff equal to the suit, i.e. that the man he sues is of equal grade with himself. He does not seize, he does not carry off, i.e. because the plaintiff goes to seize the feast, i.e. along with the defendant. A witness is named, i.e. one witness at the seizure of the distress, and at the exemption. Every protected *thing* is safe, i.e. though they be with you in the ‘lis’-fort. Every thing not sheltered is condemned, i.e. if found in service outside. Hence comes the maxim, “demand recovers ‘eric’-fine,” i.e. how does the ‘eric’-fine go? An ‘Aire Forgill’-chief, or an ‘ollamh’-poet it is that gives judgment upon it. They (*the* ‘*seds*,’) are collected at the end of delay in pound, i.e. when they have come to a fair adjustment as to what the times may be, i.e. one day, and three days, &c. At a ‘forus’-pound, i.e. of the king, i.e. it is there it (*the distress*) becomes forfeited at last. The debt is not to be equalized to *the distress* in the green, i.e. should the distress be greater than the debt.

As to a man, now, who is bound to bring a distress to a ‘forus’-pound on an appointed night, if sunset has come, he is not sued *for fine*. But² he comes before going to bed, or he comes at any time before morning, and it is in such case it (*the liability*) is bound upon him. He pays a cow if he does not come upon a Monday night. If this be to a house in which there are people, they bear witness to the coming of the distress on that night. If it is to fields, or a waste, there must be proper witnesses with them.

As to a distress, now, which is due to another person, though it came not before sunset, yet it has come as far as that his comrade hears a shout from him *who brings it* ; he is not sued. Hence was said : “*In the case of late persons, let witnesses speak for one another.*” Or, *he does not come then* but he comes even in the night before witnesses, and it (*the distress*) is conveyed to him on the morrow to his own house.

As to a distress that has been taken in a person’s absence, a worthy person gives notice of it to a worthy person.

If it be a carrying off without asking consent, or by night, *the distrainer* himself is to give notice of it, since it is not a theft.

As to a distress of three days’ stay, and even of one day : there are no clothes for his benefit but his own clothes, i.e. a man who is

DISTRESS. αὐτὰ ἅ πολλα παθεῖν, .i. περ ὀλίγῃ ἀτρύμν πολλα αἰτρύμνα πρὺν.
 Inruacht pola inruacht pola πρὺν αὐτὰ τεταται, πρὺν καὶ παθηγαβῶν.

Οἰθηγαβῶν εἰναῖο, οὐρ αἰθηγαβῶν τοβαῖς, ἢ γαῖν ἐεῖταρναῖ ;
 ἢ τιασᾶτ ἐεῖταρναῖ πρὺν ἀρῶλε.

Οἰθηγαβῶν γονα θυῖνε, ἢ τεῖτ πρὺν αὐτ γυῖνε.

Οἰθηγαβῶν γῶδε, ἢ τεῖτ πρὺν αὐτ γᾶτ.

Sic. Οἰθηγαβῶν αἰρῦν, ἢ τεῖτ πρὺν αὐτ αἰρῦν cob ἔνι co bo τρὺν
 καὶ ναι, αὐτ αἰρῦν ρῖς ; ὀλῖγῶνδε ρεχτ cumala ἰννα αἰρῦν.

Οἰθηγαβῶν εἰναῖο ἢ τεῖτ τὰρ ρεχτ cumala ; ἀρ νὰ παρὰ ρεχτ
 cumala ἢ τεῖτ αὐτ αὖν ἐν πρὺν.

Νῖμθα αἰθηγαβῶν τοβαῖς ; τὸ bonga τὶ εἰς λογ fíchet cumal,
 εἰς ρεῖβα, εἰς ρᾶτα, εἰς ὄνα αἰλλ olchena.

Περ διρ πρὺν πολλα εἰναῖο ρῖνε ἢ τιαῖτ, ἢ γαῖβτερ αὐτ τεορᾶ
 αἰθηγαβᾶ αἰρε. Τρὺν εἰναῖο πορ καὶ ναι, con ρο παρτὰρ πορᾶ
 καὶ ἐοῖναι ἢ γαῖβτερ αἰρῖ ; αἰρῖ ρομορ τὸ ἰμῦατ βερ μαρ e ἢ
 περ ἀρνοῖτῃτ αἰθηγαβῶν αὐτ αἰναῖο αὐ εἰλε. Secht ρεοτᾶ dec παρ
 ἰνν, no deic ἰνβαῖ οἰτῃται οὐρ τὶ βαῖ ἰνᾶ αἰθηγαβῶν. No ἰνδεχ
 οὐρ τὶ βαῖ ἰννα μῦν, αὐ οἶ no εἰ ἰνδεῶ.

Οἰμαῖ ρον χαρᾶ nech ποκαῖρ αὐ ρμαῖτᾶ ο ρο μετᾶ ἰνν
 αἰθηγαβῶν. Για ἀρβερᾶ αὐ λαῖλε ἢ τιαῖτ αὐ ρμαῖτᾶ αἰ, ἀρ ἢ
 ember αὐ πατῃε αὐ ρον ; ἀρ ἢ οἰρῖοι ἀρρῖβρᾶτ ; ἢ τιαῖτῃτ
 ρμαῖτᾶ αἰ ; ἢ τιαῖτ colainn gellaib. .

Μᾶο ἰνλακαῖβ, ἢ τια εἰςτῃε ; ματ βα ἰντῶλαογᾶ, ἢ τια
 decmaíde.

Σμαῖτ ὅαρτα namma τὸ νὰ πρὺνμῖτερ εἰςτῃε νὰ δεῖμαῖο ;
 αὐτ ἢ τιαῖτ γαῖμρῖο, ροῖτῃ βερ βῖο γαῖμρᾶ αὐ ματῃαρ παρ ;
 co ἰνδεχαῖο αὐ οἰρῖα ἢ ἡερῖναρ.

Εἰς γαῖμρῖο τῖν παρᾶρ βερῃ βῖτ αὐ ραμρᾶ ἀρρεῖταρ αὐ
 ρμαῖτ ; no βῖο αὐ γαῖμρῖο εἰς αὐ ραμρᾶ παρᾶρ.

¹ *'Aírer'-fine.* In C. 347 'airer' is thus explained:—"The seventh part of 'Eneclann' is the 'airer' of every grade up to the grade of seven; and a 'cumhal' is the 'airer' of every grade from that up to the king of a province, or of Ireland, and two 'cumhals' for him."

² *Restitution in kind.* 'Inoec' means restitution in kind, i.e. a milch cow equally good for every milch cow; an in-calf cow for an in-calf cow, &c.

entitled to have fosterage performed shall have fostering clothes DISTRESS.
of his own. If clothes have gone into prescription, all things that
appertain to them go into prescription also, as regards every distress.

The distress of a debtor himself, and the distress of his kinsman,
differ each of them; they do not either of them agree with the other.

As to a distress for the wounding of a person, there goes upon it
but the penalty for wounding.

As regards a distress for theft, there goes upon it but the penalty
for theft.

In the case of a distress for 'airer'-fine,¹ there goes upon it
but treble of the 'airer'-fine, except the 'airer'-fine of a king;
he is entitled to seven 'cumhals' for his 'airer'-fine.

The distress of a debtor himself does not go beyond seven
'cumhals'; upon what does not exceed seven 'cumhals' there goes
but one debt.

Not so the distress of a kinsman; there is recovered from him
even to the value of twenty cumhals, whether lands, whether stock,
whatever else besides.

As regards a man who is responsible for the misdeeds of a family
in a territory, there are but three distresses to be made off him.
There are three misdeeds upon each of these, and until any further
misdeeds are fastened upon these in the same way, none is distrained
for it; for, very great is the driving of cattle that shall be if it is
upon the man a distress shall fall for the misdeed of a member of
his family. There are seventeen 'seds' to be exacted from him for
it, or ten cows for the failure, and two cows for the distraining of
him. Or restitution in kind,² and two cows along with it, two cows
or a horse after.

In the same way that restitution in kind fails (*i.e. that he is
condemned in it*), his fines fail when the distress fails. Others
say that his fines of suit ('ai'), do not fall, because it is in the cases
of security that occurs; for it was of them was said: "The fines of
suit, ('ai'), do not fall; the value^a of pledges does not fall."

^a Ir. Body.

If they are milch cows, it is after five days they are paid; if
in-calf cows, it is after ten days.

It is in case of a fine of a 'dairt'-heifer alone that there are not
fixed five days, or ten days; but this is in the beginning of the
winter, because that its mother is a stripper in its place; until
she runs dry it (*the fine*) is not paid out.

Though it be in the winter it (*the debt*) is fastened, still it is in
the summer its fine is paid; or it is in the winter it is paid, though
it be in the summer it is fastened.

DISTRESS. 1mopuy nathgabala tpa. Aethgabail egar tap epic, aipm in asar no in apata ap ann a forpulsu; arpeo a foruy. Zell oi, co imochail iaram co epich teeta.

Aethgabail poeais a chumat.

Aethgabail plaeta apu eile im teeta plaeta, ip tech inna plaeta a foruy.

Al cumat apao ap a manac; ocuy athair ap mac; ocuy piter apu pelmac.

Aethgabail gaiber per oana ppi ler no tiubaita, co teo a foruy. Aethgabail gaiber aiprom a cumat, aet biaaiorom cach noccoi. Ceo biathao po miao inn ppi. Curo etan a muinntiri do iarmota rin.

Foruy teeta tpa do aethgabail, foruy apa ruaisgiter oi.

Ar atat foruy ap na ruaisgiter oi aethgabail. Al breo po cleto; a breo a nuaim; a breo a noiupib; a breo poi pio; a breo a noiupche; ap it foruy tapao ocuy inoilege. Co tuiter oin cach aethgabail i forpce ocuy ip pollyp ni ruaisgiter oi.

Ala dono foruy oia cinto oi aethgabail, .i. a fuirech i noail imbi ru, no eppcop, no ru, no uapal nemio pechir e; a fuirech i paichi cainte, no ppi nato fuilnges gnuaidi, ap ni oaimpaoe oisguth ipi do oaine.

Per do beip aethgabail i foruy po be paoapae laipocco. Anao iarpin mo aethgabail la per do oobeip a foruy co ngill, no oin, no oitim. Ma oitim oi, do beip i paichi mo atig, no mbachlais, no mo aigno; ocuy do tuio oia oeamaoe mana ruaisgiter oi. Cia apberat alaila nan tuioet aet a eis aipoc tuip, pobio paoapip innpaice, ocuy na bat ecomme apail.

Ala dono, Zell tap benna, no Zell tap eochu, oi aethgabail iarp noiitim. O po icappon cin ppi gaibter, con pegar iaram

¹ *Residence.* The residence of a chief, or any other lawful place to which it should have been driven.

*As regards evasion of residence*¹ of a distress, now. *As to a distress* DISTRESS. which is driven over the boundary, the place to which it is sent is the place where it shall be released ; it is its residence. There is a pledge given for it, and it is afterwards brought to a lawful place.

The distress of a 'fothach' is made in the same way.

As to the distress of a chief upon his tenant for the dues of the chief, the house of the chief is its residence.

It is the same with the distress of an abbot upon his tenant of ecclesiastical lands ;^a and of a father upon his son ; and of a tutor ^a Ir. Monk. upon his pupil.

As to the distress which a poet takes for a just claim or fraudulently, his house is its residence. A distress which is made upon him is the same, but he feeds the people himself. The first food is according to the dignity of the man who sues. He has the prescribed share of his people from that out.

A lawful residence, now, for a distress, is the residence in which it is released.

For, there are residences in which a distress is not released. If carried into concealment ; if carried into a cave ; if carried into a wilderness ; if carried into a wood ; if carried into a dark place ; for these are the residences of thieves and outlaws. Until every distress is brought into light and manifestation it is not released.

There is, however, a residence which washes out the liability of a distress, i.e. to seize in an assembly in which there is a king, or a bishop, or a professor, or a noble 'nemidh,' whoever he may be ; to seize in the green of a satirist, or of a man who does not suffer 'grnaidhi,' for he vouchsafes no right whatever to a person.

A man who carries a distress to a residence shall have witnesses of the fact along with him. The distress remains after that with the man who has taken it to a residence, until it be released on pledge, or remission, or until the end of delay in pound. If there is delay in pound, he takes it to the green of a farmer, or of a shepherd, or of the advocate ; and it falls to the plaintiff after ten days if not released. Though others say that it does not fall or become forfeited to the plaintiff but at the house of an 'Aire Tuise'-chief, in order that there should be worthy evidence, and that any other place should be deemed not sufficiently public.

There is, too, a pledge given for horned cattle, or a pledge for horses, if taken in distress, after delay in pound. When, then, the debt for which it is seized is paid, the distress is retained by him

afterwards, and he makes a demand upon it, or retaliation¹; and he DISTRESS.
(the creditor) does not retaliate, &c., unless it *(the debt)* has been fastened
 by verbal engagements, in case of delay in pound. Should there
 be verbal engagements, however, they fasten *two retaliations*; and
 this is no wrong, because the *first* distraint does not answer, except
 for the debt for which it was made. If it is for three retaliations,
 unless they have been fastened they cannot be recovered off it.

If pledges are given for it *(the distress)* in the meantime, he *(the debtor)* is bound over to appear in court to *clear it off*; and the
 distress is then detained for the other two debts; and he is bound
 to answer the first debt.

Bind securities for the full debt of this distress for the adjudica-
 tion of which the security is given. Bind securities too, that you
 will pay from you to me this distress for the other two demands *(or debts)*
 in all fulness; in every residence; in all usages; in all goings
 forth; in all things determined *by the law*; in every determina-
 tion; in all evidence such as appertained to it at first. Only three
 days, or five days, *are given* when *the distress* is not lengthened out.
 It is in this way the right method of returning a distress is observed.

Why is it not upon stays of law that the four modes of *distraint*
 are based at this day?

Answer. *Because of* the ignorance of the advocates who seek to
 solve the difficulties; and the incompetency of the judges who
 cannot estimate the stays of law. For, if the law of one day or two
 days be given, i.e. to *three days*, or of two days or three days to the
 law of one day, sureties are sued and stripped *(made to pay)*. Let,
then, a stay be re-issued; let justice be dispensed, unless it is
 according to law every legitimate stay has issued; for, forcing the
 stay of one day upon two days is not a truthful case. Unfairness
 shall not be suffered. It *(the debt)* is not paid: there is no stripping
 it, it is no wrong.

111CIPIT 'DO GNIMUIB GIALL ANNSO.

HOSTAGE-
SURETIES.

'Dí gnimuib giall gaibtear.

1na geill atbeir funn ní aifneidenn eoir flata oca, ac in láimh 1 mbít, ocuf colpac geilluro hac noiochi co ceann peét noiochi fichit ioin láimh imi bitur; ocuf famliur geillur hac noiochi dona tri haidéi deoinucha, conac bó ar fichit ioin uili. Ocuf da oirad brobur pe oligeó anó ioin, na gebta ceit aigim uad. Mar oigbaó imurpo lám geill, icur diablur do neoch imar oigbaó a lám iur, ocuf ceit aigim hac neich foracbur ina lám, ní fuil a roga doib funn ina turgabail, ac in tan iur ail don pechemuin. Ac in muna tincet, ocuf mara turgabail ro turgabuit iur nélóó do brobur, petet na ceitre coirpoiri iur noioigeó brobur ocuf pechemuin toicheo; ocuf mar frituigeó don brobur pe giall in pechemuin toicheo, iur pé napur fair turgabail ocuf no ní ro geill, ocuf gin coirpoiruno, ní luza no bia .uii. diablur na fiach.

Sunn imurpo atá a canae.

Arfais triachac bo berur. In triacha bó fuil funn ic peét mba fichit innlaeiga ocuf tri luluca; ocuf a leó ioin geallac 1 ngiall gach noioce co oiaig in trichuit aóce, cunio diablur a nech geallac ioin iur in cúic fine iur 1 ní; ocuf ma eium icur in fiac ro iur pechemuin toicheo ocuf iur flait, iur diablur da trian a coirpoire do o fine, ocuf enecunni ocuf diablur in pech icur amach.

Sean leigeó in lepuir buide cétna ro:

Se fgrupail dec gealla in giall hac noioce don trichuit

¹ *He incurs an implied promise.* C. 687 says: "The hostage-surety incurs the liability of sixteen screpalls every night during the thirty nights."

² *Cows.* If we take eight 'screpalls' for the value of a 'colpach'-heifer, as given in C. 1266, and take for the value of a cow twelve 'screpalls,' which is given in the same place, as a value for a 'samhaise'-heifer, then twenty-seven 'colpach'-heifers = eighteen cows, and the addition of three cows gives twenty-one cows.

The Law of SERVICES OF HOSTAGE-SURETIES BEGINS HERE.

OF the services of hostage-sureties which are taken. HOSTAGE-SURETIES.
—

The hostage-sureties which it (*the law*) mentions here it does not mention between chieftains, but *the person* in whose hand they are, and he (*the hostage-surety*) incurs an *implied* promise¹ of a 'colpach'-heifer every night to the end of twenty-seven nights for the *person* in whose hand they are; and in like manner he incurs the implied promise of a *cow* every night of the three last nights, which amount to *the value of twenty-one*² cows in all. And should the defendant then come to submit to law, perfect restitution would be obtained from him. If, however, the hand of the hostage-surety was emptied, double shall be paid him of what was taken away from his hand, and perfect restitution of everything that was left in his hand, there is no choice to them here respecting taking it up, except when the plaintiff likes it. But if offer of law was not made, and if trespass has been committed after the absconding of the debtor, the four body-fines shall accumulate in consequence of the illegal *conduct* of the debtor and of the plaintiff; and if the hostage-surety of the plaintiff sues the defendant, he must allow him time of notice for trespass and what he *incurred on his implied* promise, and though he does not submit to law, he shall not the less be subject to seven '*cumhals*' and double the debts.

This is what is in 'Cain'-law.

For what is given amounts to thirty cows. The thirty cows which are here *mentioned* are twenty-seven in-calf cows and three milch cows; and the hostage-surety incurs the *implied* promise of half of this *nightly amount* every night to the expiration of the thirty nights, and the double of what he becomes liable for is to be paid by the five nearest tribes; and if it be he that pays this debt to the plaintiff and to the chief, he shall obtain double the two-thirds of his body-fine from the tribe, as well as honor-price and double the debt which he pays to the plaintiff.

This is the old reading of the same "Yellow Book"³:—

The hostage-surety incurs the liability of sixteen 'screpalls'

³ *Yellow Book*. This was probably a Yellow Senchus, "Senchus Buidhe," from which the reference S. B. may be derived.—*Vide* note, p. 115 *supra*.

HOSTAGE-SURETIES. — oirdce, ocuf fe r̥griubuil̥ ceactar de in da oirdce fuid̥t forp̥rin
 trichuit oirdce, conio feēt cumula dorom o fine, ocuf ruinn
 canai forp̥ru.

. Tūl Senchur hī Scoba ro r̥r.

Colpach ceit̥ri r̥griubuil̥ gac̥ noirdce co ceann ceit̥ri noirdce
 fichet, ocuf tr̥i ramuir̥ce gac̥ noirdce do na teor̥a oirdce deḡ-
 inacha, cona deē mba fichet ramluir̥. Cinuir̥ for̥ aile beaf̥ doib̥
 uil̥ur, .i. a cut̥ruma eile lair̥ in cinuir̥ acart̥ur for̥ in giall̥ do
 ic, ocuf coir̥p̥oir̥e in gell̥, ocuf emec̥lunn̥ dia tair̥cter̥ ol̥ḡeō,
 ocuf muna tair̥cter̥ nī fuid̥ nī et̥r, uair̥ iḡ ann̥ at̥a eir̥ic
 as̥ra bor̥blachuir̥ in tan tar̥gac̥ ol̥ḡeō.

Ar̥ruir̥o trichu mbuair̥ ber̥ur.

.1. in trichu bo doḡime ruinn̥ teor̥a lu̥luc̥a ocuf feēt mba
 fichet inlaeḡa, cunio bo ar̥ fichit̥ ramluir̥, do lu̥luc̥ub̥, cunute
 r̥in feēt cumula up̥ruoir̥. Oēt̥ r̥griubuil̥ gealla giall̥
 caē noirdce in up̥ruoir̥, ocuf leē nuinḡi a cain̥, cun̥a diabluō
 doḡum donni gealla. No, ar̥ da ba dēc̥ f̥er̥i doḡime ruinn̥ fo
 cet̥oir̥, ocuf na da ba d̥ichma in gell̥; ocuf in trich̥a bo doḡime
 ruinn̥, .i. lu̥luc̥a, cun̥i da ba ar̥ trichuit̥ ramluir̥, conio feēt—

Sic.

1ḡ inunn̥ ruinn̥o col̥unn̥-er̥ce gell̥ 1 nuir̥ruoir̥ ocuf a cain̥,
 .1. tr̥ian̥ do air̥oir̥i ocuf a tr̥ian̥ do giall̥, ocuf a tr̥ian̥ do
 f̥echemuin̥ toicheo̥a: lan̥er̥ic in cinuir̥ ima tuar̥guib̥ in giall̥,
 loḡ emiuc̥ in gell̥, ocuf diabluō do caē eir̥ic, ocuf nī ber̥r̥
 et̥ur̥flac̥t̥ nī uair̥ na timuir̥ḡ a tuac̥.

In trich̥a bo at̥ber̥r̥ ruinn̥ ic feēt mba fichet inlaeḡa ocuf
 tr̥i lu̥luc̥a, ocuf a leē iḡ geall̥ur̥ giall̥ gac̥ noirdce don trichu
 oirdce; cun̥i diabluō inech geall̥ur̥ iḡeo icuit̥ fine f̥ur̥rum; ocuf

¹ *Cows.* Dr. O'Donovan observes that a 'samhaisc'-heifer is sometimes valued at sixteen 'screpalls'; so that nine 'samhaisc'-heifers=144 screpalls, and twenty-four 'colpach'-heifers=ninety-six 'screpalls.' These added give 240 'screpalls,' or thirty cows worth eight 'screpalls' each.

² *Milch Cows.* If the in-calf cows are worth two-thirds of the milch cows, say

every night of the thirty nights, and six 'screpalls' for each of the two nights which are over and above the thirty nights, *the value of* which amounts to seven 'cumhals' for him from the tribe, and which are divided according to the 'Cain'-law.

HOSTAGE-
SURETIES.

That which follows down here is from the Sencus Book of O'Scoba.

A 'colpach'-heifer worth four 'screpalls' every night to the end of twenty-four nights, and three 'samhaise'-heifers for every night of the three last nights, which thus amount to *the value of* thirty cows.¹ There is another liability also due to them, i.e. another proportion is to be paid equal to the liability which is demanded of the hostage-surety, and the body-fine of the hostage-surety, and honor-price, if law be offered, but if it be not offered there is nothing *to be paid*, for 'eric'-fine for unjust suing is *due* when law was offered.

For what is given amounts to thirty cows.

That is, the thirty cows which are reckoned here are three milch cows² and twenty-seven in-calf cows, which are thus *equivalent to* twenty-one cows, i.e. milch cows, until they are equal to seven 'cumhals' of 'Urradhus'-law. The hostage-surety incurs the *implied* promise of eight 'screpalls' every night in 'Urradhus'-law, and half an ounce in 'Cain'-law, and he receives double what he incurs the liability of. Or *the calculation is made thus*: twelve 'fesi'-cows first of all, and the hostage-surety's two cows for delay in pound; and the thirty cows reckoned here are milch cows, making thus thirty-two cows, so that seven * *³

The distribution of the body 'eric'-fine of the hostage-surety is the same in 'Urradhus'-law as in 'Cain'-law, i.e. one-third *is given* to the chief king, one-third to the hostage-surety, and one-third to the plaintiff; full 'eric'-fine of the liability for which the hostage-surety was taken, the honor-price of the hostage-surety, and the double of every 'eric'-fine, and the intermediate chief obtains nothing because he did not distrain the land.

The thirty cows which it mentions here are twenty-seven in-calf cows and three milch cows, and the hostage-surety incurs the liability of the half of them every night of the thirty nights; and the double of what he incurs the liability of is what the tribe pay him;

eight 'screpalls' each, and the milch cows twelve 'screpalls,' then the proportion here stated comes out.

³ *Seven*. The text appears here defective.

HOSTAGE-
SURETIES.

mar erium icur in fiach ro fpu fechemuin toicheoda, ir diablaó
da trian a coirpoire do o fine, ocur einiuclunn ocur diabluó
ineó icur amach.

Արարծի ըն ղան ղո ջալլաւ ջաւեր.

.1. րբ ըն ղան ղջլլ, .1. եւ ըն ղջլլ, յրիւս ա ղն, ocur ղբտ
cumula ա ղտմա, ocur ղաւլուó ղիւս ղոր երծուո, .1. րբ ղ ըն
նջլլ ocur երեւլլոն ocur ղաւլուó երեւ ղուր amach.

Ար երն յաւ ղաւոն աւեր.

.1. եւ ըն ղջլլ, յրիւս ա ղն, ocur ղբտ cumula ա ղտմա, ocur
աւլուó ղիւս ղոր երծուո. Samuirc ղջլլոն յաւ ղաւոն
co cenn ղն ղաւոն, cona bo moթ աւ ղաւոն; ocur ղաւս
շրն ղջլլոն in ղաւ ղաւ ղաւոն co cenn ղբտ ղաւոն
բիւտ, cona bo inնաւոց աւ ղաւոն, cona ղբտ մեւ
բիւտ inնաւոց ղն աւ ուտ մեւս
ուտ ղաւաւոց, ocur ղա ղն եւ ղբտ աւ ղա ղն
աւոն ուտ ղաւոն ղն, co ղա bo աւ
բիւտ ղբտ ղո ղաւ աւլուó ղն աւ ղաւաւ
աւաւ.

Երոն ղեւ ղան ղջլլ ղո ղաւ ղոր ղաւ.

.1. ղո աւրիւս ղաւոն երու ղոն ղաւ ա ղեւ in ղի ղո
աւր ղն ղաւոն .1. ղորն ղեւաւ ղաւոն in ղաւ
աւաւ ղոր ղաւ աւ ղո աւր աւաւ, .1. աւաւ
in ղաւ ղո ղաւոն ղեւ in ղի ղաւաւ
he ղե ղաւաւ, no ղե ղի
neրս ղան ղաւոն, .1. ղաւ աւաւ ուտ, ocur
աւաւ աւաւ ղոր in ղաւ ղաւ ղաւոն
co cenn ղաւաւ ղա.

Sic.

Մա ղաւաւ ղաւոն, աւաւ ա ղեւ ա ղբտ
cumula ղաւաւաւ ղաւաւաւ, .1. ղա
աւաւ ղոն ղաւ, ocur աւ
աւաւ ղոն ղաւ; no ղա ղաւոն 1 ուտ.
Maine ղաւոն ղեւ in ղաւ
in ղաւ in ղաւաւ ղա, աւաւ ղոն
աւաւ ա ղբտ cumula ա ղա

and if it be he that pays this debt to the plaintiff, double the two-thirds of his body-fine *shall be paid* him by the tribe, as well as honor-price and double what he pays the plaintiff. HOSTAGE-SURETIES.

For the hostage-sureties which are taken are secure.

That is, the safety of the hostage-sureties, i.e. the 'fesi'-cows of the hostage sureties, thirty in number, and seven 'cumhals' are *paid* for the delay in pound, and double of the debt *is required* of the defendant, i.e. the indemnity of the hostage-surety is honor-price and double what he has to pay the plaintiff.

For he deserves a cow every night.

That is, the 'fesi'-cows of the hostage-sureties, thirty in number, and seven 'cumhals' are *due* for the delay in pound, and double of the debt *is due* of the defendant. The debtor incurs the liability of a 'samhaise'-heifer every night till the expiration of three nights, so that it amounts to a large cow in the morning; and the hostage-surety incurs the liability of a 'colpach-trin'-heifer every night till the expiration of twenty-seven nights, so that it is an in-calf cow in the morning, so that it amounts to twenty-seven in-calf cows over and above eighteen cows after calving, and the three cows that increase with them for the three last nights, so that twenty-one cows thus accumulate for the hostage-surety in thirty days.

Half the full 'eric'-fine of the hostage-surety *is* to fall upon all.

That is, body 'eric'-fine is claimed for the hostage-surety from the person who neglects to respond, i.e. to the plaintiff who takes the hostage-surety unlawfully; it is otherwise from every one who gives his security, i.e. it is urged that the full 'eric'-fine of the hostage-surety falls upon the person who gave him for neglect, or for paying full 'eric'-fine for him, i.e. the chief gave him, and the territory to which the hostage-surety belongs is bound to respond *each day* to the end of thirty days.

If he then responds, his tribe shall pay the seven 'cumhals,' which shall be divided between the chief and the hostage-surety, i.e. two-thirds to the chief and one-third to the hostage-surety; or it is divided into two *equal parts between them*. If the tribe do not respond to the hostage-surety at the end of the thirty days, he (*the hostage-surety*) shall pay two-thirds of the seven 'cumhals,' or

HOSTAGE-
SURETIES. — leť ann rin fpuir in riš, ocuf icat in cinne ima turgad̃tur, ocuf
ictur fpuirium dublad̃ dono do t̃renuib̃ no don leť, ocuf dublad̃
dono do ic fpuir do chinuib̃ ro ic, ocuf loš neneť do o fine.

Tet por da leth lan epuic.

.1. por fine rin nacru cin tairc̃rin c̃it̃ dia cine. Ma ro
rogruirtur biobuib̃ por giall in pechemun toichẽda na ro gabad̃
gella na airge o giall in biobuib̃, ocuf ni tar̃ga giall in
pechemun toichẽda gella na airge uad̃ ren, coirpoire on
biobuib̃ da giall řen, ocuf coirpoire on pechemun toichẽda do
giall in biobuib̃, ocuf coirpoiri on pechemun da giall řen.

Ma tar̃ga giall in pechemun toichẽda gella ocuf airge uad̃ řen
don biobuib̃, ocuf ñir gabad̃ uad̃ ad̃t a toc̃bail tair̃ur, coirpoire
on pechemun toichẽda da giall řen, ocuf coirpoire uad̃ do giall
in biobuib̃. Coirpoire dono on biobuib̃ do giall in pechemun
toichẽda ocuf coirpoire uad̃ da giall řen. Coñto e rin t̃et por da
leť lan epuic. No dono, cumad̃ řlan co t̃rian don biobuib̃, ar̃ ni
gar̃b in pechium toichẽda giall no airge o giall in biobuib̃
řem̃e. Šlan co t̃rian don biobuib̃ i leť ře giall in pechemun
toichẽda, ocuf iñi iř eř̃bãdach on ñgiall t̃ic on pechemun
toichẽda ře giall řen.

Fora řri arail̃.

.1. ur̃rocr̃u řri arail̃ ře giall in pechemun toichẽda na
daim cept̃. Coim̃irle tuc in tug̃our ann rin don biobuib̃, mane

¹ *The author here.* This commentary is very obscure in consequence of the want
of the full text, which it is intended to explain. The following passage, in C.
1187-1188, may throw some light upon it:—

C. 2185. Deťbir̃ ñgel̃ta ocuf inannur řmaťta uil̃ řiu no co řoir̃et t̃eť in
b̃reťeman, ocuf co ñgab̃at do łaim [t̃ac̃raťh] por [coñair̃ řuig̃ill̃]
air̃iťe. Ocuf o ro řoir̃et t̃ech in b̃reťeth̃eman ocuf o řebãto do łaim
t̃ag̃ra por coñair̃ řuig̃ill̃ air̃iťe, ar̃ inannur řmaťta ocuf ar̃ iñañtur
ñgel̃ta. Ar̃e in t̃inannur řmaťta in bo a ñeimaťh̃ne na coñair̃e. Iře
in t̃inannur řeall̃ta in lẽit̃ řill̃, řil̃.

C̃io iř ñar̃g̃air̃e ann. Iř̃eťo iř ñar̃g̃air̃e ann, .i. d̃uine t̃ẽit̃ a
ñar̃g̃air̃eťeť, ocuf a ñac̃h̃iř̃eř̃, ocuf a ñiř̃iur̃ ẽtir̃ a řene b̃uđ̃ein t̃all̃ ocuf
ũar̃ a ceñto amach.

the full half, to the king, and the tribe for whom he was accepted as a *hostage* shall pay *the remainder*, and there shall then be paid to him double the *two-thirds* or the one-half, and he shall also be paid double whatever fine be paid, and also honor-price by his tribe.

HOSTAGE-
SURETIES.

Full 'eric'-fine goes on both sides.

That is, upon the tribe of the man who sues, his tribe not offering justice. If the defendant gave notice to the hostage-surety of the plaintiff that neither pledges nor sureties were accepted from the hostage-surety of the defendant, and the hostage-surety of the plaintiff did not offer to give pledges or sureties himself, body-fine *is due* from the defendant to his own hostage-surety, and body-fine *is due* from the plaintiff to the hostage-surety of the defendant, and body-fine *is due* from the plaintiff to his own hostage-surety.

If the hostage-surety of the plaintiff had offered to give pledges and sureties himself to the defendant, and that they were not received from him, but that it (*the distress*) was taken notwithstanding, body-fine *is due* from the plaintiff to his own hostage-surety, and body-fine *is due* from him *also* to the hostage-surety of the defendant. Body-fine *is* likewise *due* from the defendant to the hostage-surety of the plaintiff, and body-fine to his own hostage-surety. So that thus full 'eric'-fine is incurred on both sides. Or, indeed, *according to others*, the defendant is safe as far as one-third, because the plaintiff had not previously accepted of either pledge or security from the hostage-surety of the defendant. The defendant is secure as far as one-third with respect to the hostage-surety of the plaintiff, and what is deficient to the hostage-surety is to be paid to him (*the said hostage-surety*) by the plaintiff.

Notice by another.

That is, notice by another to the hostage-surety of the plaintiff that justice had not been ceded. The author here¹ advises the defendant, if pledges or securities have not been accepted from him

"They have a difference of pledge and an equality of 'smacht'-fine until they arrive at the house of the Brehon, and until they undertake to proceed according to a certain mode of judgment. When they have arrived at the house of the Brehon, and have undertaken to sue after a certain mode of judgment, they have equality of 'smacht'-fine and equality of pledge. The equality of 'smacht'-fine is a cow for non-observance of the mode of proceeding. The equality of pledge is the half-pledge, &c.

"What is a 'nasgaire'? 'Nasgaire' is the person who goes as a compact-maker, and as a security, and as a hostage between his own tribe within and for them out, &c."

HOSTAGE-
SURETIES.

gabta gella na airge uad tar cenn a gell buóén, giall in fechemun toicheoda do tocbail no con damta oligeó do; ocur a pláintí do co trian, amuil cáé foguil anagió fogluir; ocur da trian coirpóire uad i ngiall in fechemun toicheoda, ocur coirpóire on fechemuin toicheoda i ngiall in bíóbuir, ocur in trian coirpóiri ír ebraóac o giall buóen óic rir.

Column epwic ocur loz neneó ocur oileir in cinuig acaptar for fine in gell, no cutpuma in peó acaptar ann. Maine pe in cin ann, leó na column épice ocur trian inéic acuptar ann do rí, ocur trian in peó don fir for a nagaptur, muna turgabtur giall fua ariale. Dia turgabtur muirio giall fua ariale, aóa ninoligeó aóar inagair, cinmota in fiac acaptar for in giall. Turruó a ranniríde a trí, .i. a trian don fir aóar aóa ocur trian do giall, ocur trian do rí. Dia nelo fine ocur ní gab fechium toicheoda gell in cinuó o giall, acé a turgabail ininoligió, icuó ceótur de a lan fiach fua giall.

Óleagar doib fiach fo ní do nimeó; maó inóligeó do raga, pecht dian do ppeara pecht foruir iudib in comallat gealluibh.

Óleagar doib, .i. óleagar doib fiac fo ní aóar aóa air; ocur aóa bíóbuir do ruge air ann ríde, .i. no ro tinóileó ann air do rier oirgióeuiis ír ann aóa rín. Maó inóligeó, .i. uair ír ann aóa epic aóa bíóbuir do neoch ininbuir tarpaó oligeó, .i. maó inólige inoiaóteir air do rier oirgióeuiis ír ann aóa rín. Do ppeara, .i. no ma turgabtur iac tar gelluib ocur tar airuib, ír ann ríeír in coirpóire, .i. maóa ppeara in giall in fechium toicheoda co commluáó gell do tairerín ír na híó aóa rín ír ann aóa rín, uair ír ann aóa epic aóa bíóbuir do neó i ininbuir tarpaó oligeó, .i. dia ppearaíteir do rier oirgióeuiis in foruir in fiac acup, ocur a cutpuma lair cin co ólepa do duine.

In ci muirio aóar o bur do pen aóar aóa fiac fon do nimeó air. Munub do pen aóar, acé do neoch eile nocha

¹ Hostage-surety. C. 826 has the following version:—Sluindteir beo nuas, .i. forir an fechemain gabter in giall eteóta ocur do gni cimbir de.

for his own pledge, to take the hostage-surety¹ of the plaintiff until what is lawful is given him; and he is secure as far as one-third, as in the case of every trespass against a trespasser; and two-thirds of body-fine *are due* from him for the hostage-surety of the plaintiff, and body-fine *is due* of the plaintiff for the hostage-surety of the defendant, and the third of body-fine which is deficient from his own hostage-surety is to be paid to him.

HOSTAGE-
SURETIES.

Body-‘eric’-fine and honor-price and forfeiture of the charge which is brought *are imposed* upon the tribe of the hostage-surety, or an equivalent of the debt which is sued. If the offence do not exist, half the body-‘eric’-fine and one-third of what is sued is due to the king, and one-third of the debt to the man from whom it is sued, unless a hostage-surety is taken by the other. If, however, a hostage-surety is taken by the other, there are two illegalities face to face, besides the debt which is sued from the hostage-surety. It is to be divided in the first place, into three parts, i.e. one-third *to be given* to the man who sues, and one-third to the hostage-surety, and one-third to the king. If the tribe should abscond and the plaintiff has not accepted of the pledge for the debt from the hostage-surety, but took him illegally, both shall pay his full debt to the hostage-surety.

Debt is due to them according to the thing that is lost; if they are sued unjustly, severity of law shall respond to the law of the ‘forus’-pound when they keep pledges.

Is due to them, i.e. debt is due to them according to the thing which is sought of him (*the debtor*); and it is the inimical suing that was made on him in that case, i.e. this is the case in which it (*the distress*) was levied upon him according to just rule. If unjustly, i.e. for it is when law has been offered that one gives ‘eric’-fine for inimical suing, i.e. if he is unjustly sued according to the right rule. Shall respond, i.e. or if they are distrained notwithstanding the tender of pledges and sureties, then body-fine shall lie, i.e. this holds good if the hostage-surety has responded to the plaintiff and offered pledges in these cases, for ‘eric’-fine lies for inimical suing when he has offered *the plaintiff* law, i.e. if it be offered according to the right rule of the ‘forus’-pound to pay the debt which is demanded, and that he has the amount of it, although it is not due to the person.

When the person who sues sues for himself, a liability lies against him according to the injury he has done. If it be not for

“Perfect malice is ascribed, i.e. to the creditor who accepted the illegal hostage-surety, and who makes a victim of him.”

himself he sues, but for another, the liability does not lie against him according to the injury he has done, but he is fined five 'seds' and honor-price for unjust suing, and 'eric'-fine for inimical suing is *imposed* upon him when law has been offered. If the plaintiff has been guilty of inimical suing against the defendant, it is the same as unjust suing to him, *i.e.* to be suing him (*the defendant*) for debts, when he is certain that nothing is due of him, he (*the plaintiff*) shall pay five 'seds,' and honor-price, and compensation according to the injury done. If he understood that he was entitled to *sue*, he shall pay five 'seds' and compensation according to the injury done, but not honor-price.

HOSTAGE-
SURETIES.

If he felt certain that he is entitled to that for which he sues, he shall be fined five 'seds' if he fasts, after the tender of what is lawful to him.

If the plaintiff has brought an unjust suit against the surety, and it is a suit of injustice in him to sue him for his suretyship when he is certain that he had not gone security, he (*the plaintiff*) shall be fined five 'seds,' and *shall pay* honor-price and compensation according to the injury done.

If he understood that he had *gone security*, he shall pay five 'seds' and compensation according to the injury done, but not honor-price.

If he was certain that he had *gone security*, he shall pay five 'seds' for fasting after the tender to him of what is lawful.

If it was an unjust suit that the surety brought against the defendant (unjust suit means to sue him for suretyship, he being certain that he had not gone security), he shall pay five 'seds' and honor-price and compensation according to the injury done. If he understood that it was due, he shall pay five 'seds,' but not honor-price or compensation according to the injury done. If he was certain that it was due of him (*the surety*), he shall pay five 'seds' for fasting after the tender of what is lawful to him. What was lawful was tendered in every instance of these; for, if it were not tendered, there would be two illegalities face to face.

If it be a hostage-surety or 'muiri'-chief,¹ &c. From his bad word is estimated his bad quality.

That is, 'eric'-fine is mostly regulated according to bad quality

¹ "Debt according to the desert, *i.e.* debt according to case, the hostage-surety recovers them; or from the chief, with liberation from the demands made upon him."

HOSTAGE-
SURETIES.

hugu toḡairí in tpoeh focuill; no in tí am ír moam ac a mefemnuitcher col no claoine ír aicirí ír mo mefemnuitcher na tpoehfolairí.

Má do chuaitt fechium toicheḡa do acru bíḡbuid, ocuḡ ro leic bíḡbuid elod, cuic feoit ocuḡ enecclunn do o bíḡbuid ocuḡ diablaḡ fíach. Do cuaitḡ tinniruidí geill iarḡam, ocuḡ do rat ne ninniraidḡe do ḡiall, co nḡechuid ḡiall ḡacra bíḡbuid, ḡur ro leic bíḡbuid elod in geill, cuic feoit ocuḡ enecclunn don ḡiall.

Má táinicc fechium toicheḡa do acra geill iar ḡin, coirpoire comloigḡi do reḡ rirḡ a comḡeoin. Cémaḡ aíl do fechemuin toicheḡa in toḡbuil comloigḡi, munup ail do ḡiall, ní tinnḡertur; aḡ tocbaíl maḡpḡu. Cémaḡ ail ḡono do ḡiall in tocbaíl comloigḡi, munup ail do fechemuin toicheḡa, ní tinnḡertur aḡ toḡbaíl maḡbḡu; cunio a comḡeoin tin do ḡnithur in toḡbaíl comloigḡe, ocuḡ ír amluirí reḡtur in coirpoiri comloigḡe; colpuch oḡt ḡḡneapull ḡellur cach noirḡe cu ceann reḡt noirḡe fíchut, cunio bó innlaeḡa ar maḡoin, cunu reḡt mba fíchut innlaeḡa rin ar oḡt mbuaib ḡeḡ tḡealaeḡa.

Samuirḡ ḡeallur ḡaḡ noirḡe ḡonu tḡi hoirḡib ḡeḡinuchuib, cunu tḡi ba miora iar maḡoin, na tḡi ba neḡ na hoḡt mbuaib ḡeḡ, cunio bo ar fíchut. A leḡh rin don ḡiall, ocuḡ a leḡ don fechemuin toicheḡa, ocuḡ tḡian o ceḡtur ḡe tḡibrium. Do neoch ruc fechiuin toicheḡa o ḡiall a diabluḡ do ic o bíḡbuid fḡur; do neoḡ imurpo taḡurḡtur ina lairí fein ocuḡ ḡa plaiḡ, aḡt aiḡḡin tḡic fḡur on bíḡbuid. In coirpoire comloigḡe rin. In coirpoire maḡbḡa imurpo, muna ḡaḡḡuid in bíḡbuid ḡealla ocuḡ airḡe tar ceann in geill, coirpoire ocuḡ enecclunn uad ina ḡiall fein, ocuḡ cach aen do ḡeḡa coirpoiri ririnu ír na ḡialluib feo biaḡ lan enecclunn ne taeḡ.

Má taḡḡuid ḡiall in bíḡbuid ḡealla ocuḡ airḡe uairí fein do fechemuin toicheḡa, ocuḡ nír ḡaḡ uad, coirpoire on bíḡbuid ḡa ḡiall fein, ocuḡ coirpoire on fechemuin toicheḡa do ḡiall in bíḡbuid.

¹ *After calving.* If the value of twelve 'screpalls' be put on the cows after calving, then eighteen of them=twenty-seven 'colpach'-heifers worth eight 'screpalls' each.

from the person who has chosen the bad word; or the person who is considered to have most vice or bias is considered to have the greatest amount of bad quality. HOSTAGE-SURETIES.

If the plaintiff went to sue a defendant, and that the defendant absconded, five 'seds' and honor-price and double compensation are due to him (*the plaintiff*) from the defendant. He afterwards went to sue the hostage-surety, and gave the hostage-surety time to seek *the defendant*, and the hostage-surety went to sue the defendant, and the defendant absconded from him, five 'seds' and honor-price are due to the hostage-surety.

If the plaintiff came after this to sue the hostage-surety, body-fine of equal forgiveness of debt shall take place by consent of both. If the plaintiff should like to accept the equal forgiveness of debt, and that the hostage-surety would not, it shall not be done; but death-seizure *shall take place*. If the hostage-surety should like to accept of equal forgiveness of debt, and that the plaintiff would not, it shall not be done, but death-seizure *shall take place*; so that the acceptance of equal forgiveness of debt is made by mutual consent, and the way the body-fine of equal forgiveness of debt accumulates is this: he (*the debtor*) becomes liable for a 'colpach'-heifer worth eight 'screpalls' every night to the end of twenty-seven nights, so that it is an in-calf cow in the morning, which makes twenty-seven in-calf cows with eighteen cows after calving.¹

He becomes liable for a 'samhaise'-heifer every night of the three last nights, so that they are three large cows in the morning, or three cows with the eighteen cows, making twenty-one cows. The half of these *are due* to the hostage-surety, and the half to the plaintiff, and a third from each of these. Of what the plaintiff took from the hostage-surety the double shall be paid by the defendant to him; but of what he retains in his own possession and with his chief, only restitution is made to him by the defendant. This is the body-fine of equal forgiveness of debts. But in the body-fine for death, unless the defendant has offered pledges and securities for the hostage-surety, body-fine and honor-price shall be due from him for his own hostage-surety, and every one who receives body-fine down here for these hostage-sureties shall have full honor-price besides.

If the hostage-surety of the defendant had offered pledges and securities from himself to the plaintiff, and he (*the plaintiff*) did not accept of them from him, body-fine is due from the defendant to his own hostage-surety, and body-fine *is due* from the plaintiff to the hostage-surety of the defendant.

Cain iarpraithe.

.1. rath do beruip lair iar na bpreit, .i. iarumpraithe iar mbpreit in linnim for altruma; no ir rat tet iarum; no riasuil in ratha iarum do beruip in altrum.

Cia lin altrum fil la rine? Nín. Al do, .i. altrum ar airuip ocuf ar iarpruit; ite ann ro di altruma ima ruaitheper oilceanu, ni himpruitheper.

Caitiat i neouga? Nín. Etip a lom ocuf i nua ar na aitheper a cnef, do uilluip lair; aluna cach dia arailc inairuill. Fo miað cach, eitid a mic, o ta fear muobu co ruz. Eoiuð laetnuid ocuf buioi ocuf tub ocuf rinu do macuib aethuich; eoiuð dearg ocuf glar ocuf donu do macuib airuich; eoiuð corcruid ocuf doru do macuib ruz.

Ené eile.

Nochu ninnuipnuo leabur deitbir in eouig, no donu co mbeð deitbir na néouige itir. Spoll ocuf rcarloir do mac ruz erinu, ocuf airget ar a raignib, ocuf cneouina aru cumauib, ocuf roan ar a raignuigib o rin amach, ocuf uina ar a cumauib; no cumu cutrumu do bet ir na nechí rin uile do mac cach ruz dib, uair ir cutruma an iarpraithe do per oluigid, ocuf a deir oluigeð, altruma cach mic ahuil ber iarpraithe. Ocuf na nechí inuipur leabur do beð na riuðnuiri sur ub hairuio leo. Ocuf delge oir, ocuf glann do beit inote, ac macuib ruz erinu, ocuf ruz cuicid, ocuf delge airgit do macuib ruz tuaithe ocuf mor.

¹ *Payment.* In margin of MS. iarprat altrum, 'price of fosterage' is inserted.

² *Sons of kings.* In O'D. 2238, the reading is—Etað uuib ocuf rubuioe ocuf oður ocuf laetna do macuib na ngrað feine, itir a lom ocuf a nua do macuib na n-occ-airnach, ocuf a nua do macuib no mbo-airnach. Black and yellow and pale and blay-coloured clothes for the sons of the Feini

THE 'CAIN' LAW OF FOSTERAGE.

THE 'Cain'-law of fosterage payment.¹

FOSTER-
AGE.

Fosterage payment, i.e. a payment which is given with him after his being taken away *to be fostered*, i.e. after-payment when the child is brought to be fostered ; or it is the payment which is given afterwards ; or it is the rule of the payment which is afterwards given for fosterage.

How many kinds of fosterage are there with the Feini? Answer. Two, viz., fosterage for affection and for payment ; these are the two fosterages which are disputed about generally, and which are not annulled.

What are the clothes? Answer. In worn clothes* and new ones * Ir. Bare. he is to have two coverlets, that his person may not be seen ; which should be washed every day successively : *one to be used while the other is being washed*. According to the rank of each man, from the humblest man to the king, is the clothing of his son. Blay-coloured, and yellow, and black, and white clothes are *to be worn* by the sons of inferior grades ; red, and green, and brown clothes by the sons of chieftains ; purple and blue clothes by the sons of kings.²

Another version.

No book mentions a difference of raiment, or that there should be any difference in their clothes at all. *But the custom now is as follows* :—Satin and scarlet are for the son of the king of Erin, and silver on his scabbards, and brass *rings* upon his hurling sticks, and tin upon the scabbards *of the sons of chieftains* of lower rank,^b ^b Ir. *From that out.* and brass *rings* upon their hurling-sticks ; or there is equality in all these things for the son of every king, *of what degree soever*, for the price of fosterage³ is equal according to law, which says, "The fosterage of every son is according to his price of fosterage." And they should have before them the things which the book mentions that they may be amused. And brooches of gold, having crystal *inserted* in them, with the sons of the king of Erin, and of the king of a province, and brooches of silver with the sons of

grade ; both threadbare and new for the sons of the 'oc-aire' chiefs, and new for the sons of 'bo-aire' chiefs.

³ *Price of fosterage*. 'Iarrath' is explained by Duaid MacFirbis as *luad oileamna*, i.e. the price of fosterage.

FOSTER-
AGE.

éuaite; no cominuno dealg do mac cach rí, ocuŕ meacor ſin uile iſin dealg ſin.

Etuch dub ocuŕ ſobuioe ocuŕ liaeth ocuŕ laetnu do macuib na nſrao ſene; ocuŕ' a lom do macuib no nocuſiuch, ocuŕ inua do macuib na mbuſiuch. Mac in aſiuch deſa imuſpo, daeth po let a euiſ cach lae, .i. ſoru bſuſ no ſoru muſ, ocuŕ da etuch daethu uime dia doſnuſ; ocuŕ iſi a lom ocuŕ inua do.

Mac in uſiuch tuſ imuſpo, daeth ſop euiſe uile; ocuŕ da étuē daethu uime cach lae, iſi a lom ocuŕ a nua, ocuŕ da etuch daethu nuao uime dia doſnuſ. Etuch daethu cach lae aice, etuch doſnuſ ocuŕ etuch ſollumuſ, aet iſ ſepſ cach étuch aſaile dū.

Mac in uſiuch aſpo imuſpo, da etuch daeta nua cach lae imeſioe, ocuŕ da etuch daethu nuao dia doſnuſ ocuſ 1 ſollumuſ, aet iſ ſepſ cach etuch aſaile.

Mac in da aſi ſopſill iſ taſi ſic.

Mac na naſiuch ſopſill iſ ſepſ, ocuŕ mac na rí, etuch daethu nuao doibſioe in cach aſiſi, aet iſ ſepſ aſaile dū, ocuŕ op ocuŕ aſſet ſopuib uile.

Caſiaſ a mbiaſu? Ute doib uile; aet ni coſmuſ tuma tet inoſe, .i. ſſuſin do macuibh aethiuch, im up do macuib aſiuch, mil do macuib rí. Inuno' a mbiaſu uile co ceano mbiaſoſu no tſi mbiaſoſu, .i. ſſuſin, im nuao iaſſuſoſu, .i. do macuib aſiuch, mil do macuib rí. Ute blaſiſe no uſſe do macuib

¹ *Ornamentation.* Dr. O'Donovan obſerues that this brooch was carved or ornamented according to the rank of each king, but the ornaments which diſtinguiſhed theſe brooches from each other are now unknown. The brooch above referred to was not given as a toy to the child, but worn by the nurse that the babe might be amused by looking at it, and thus was he brought into early acquaintance with the badge of his father's rank and dignity. None of theſe brooches hitherto diſcovered ſeem to exhibit anything like armorial bearings or heraldic charges of any deſcription. It is probable that the brooches of the different ranks were diſtinguiſhed by the nature of the inlaying or the variety of the carving.

² *Better than the other.* Each exceeding the other in quality according to the order in which they have enumerated them.

the king of a territory, or a great territory ; or the son of each king is to have a similar brooch, *as to material* ; but that the ornamentation¹ of all these should appear in that brooch.

FOSTER-
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Black, and yellowish, and gray, and blay clothes *are to be worn* by the sons of the Feini grades ; and old clothes by the sons of the 'ogaire' chiefs, and new by the sons of the 'bo-aire' chiefs. The son of the 'aire-desa' chief wears clothes of a different colour every day, i.e. his cloak or his tunic *is to be of a different colour every day*, and he is to wear clothes of two different colours on Sunday ; and he is to have both old clothes and new clothes.

The son of the 'aire-tuisi'-chief is to have all his clothes coloured ; and is to wear clothes of two colours every day, both old and new, and to wear new clothes of two colours every Sunday. He is to have coloured clothes every day—clothes for Sunday and clothes for the festival, but each of them better than the other.²

The son of the 'aire-árd'-chief is to wear new clothes of two colours every day, and new clothes of two colours on Sunday and the festival day, but each of these clothes better than the other.²

The sons of the two inferior 'aire-forgill'-chiefs, the same as the last mentioned.

The sons of the superior 'aire-forgill'-chiefs, and the sons of the kings, are to have new coloured clothes at all times, but exceeding each other in quality (*the Sunday clothes better than the week-day clothes, and those for the festival better than those for Sunday, as already specified*), and all embroidered^a with gold and silver.

^a Ir. *And gold and silver upon them all.*

What are their victuals? Stirabout³ is given to them all ; but the flavouring^b which goes into it is different, i.e. salt butter⁴ for the sons of the inferior grades, fresh butter for the sons of chieftains, honey for the sons of kings. The food of them all is alike, until the end of a year, or three years, viz., salt butter, and afterwards fresh butter, i.e. to the sons of chieftains, and honey to the sons of kings. Stirabout made of oatmeal on buttermilk or water *is given* to the

^b Ir. *Dip.*

³ *Stirabout*. 'Lite' or 'Leite' is still the word used to signify stirabout, which was the principal food of the Irish till the introduction of the potato, and, more recently, Indian meal.

⁴ *Salt butter*. 'Gruitin' is also written груитоен. It is thus explained in C. 107, груитоен, .i. гоитрен, .i. реан оуи гоити hi, i.e. 'Gruiden,' i.e. goitsen, i.e. it is old and salt. It is also similarly explained in Cormac's Glossary, in which it is supposed to be derived from the Latin *grasso cibo*.

sons of the Feini grades, and a bare sufficiency of it merely, and salt butter for flavouring. Stirabout made on new milk *is given* to the sons of the chieftain grades, and fresh butter for flavouring, and a full sufficiency of it *is given* them ; and barley meal upon it (*i.e. is put on new milk to make it*). Stirabout made on new milk *is given* to the sons of kings, and wheaten meal upon it, and honey for flavouring.¹

FOSTER-
AGE.
—

Fosterage *should be* without blemish, for every one is entitled to fosterage without blemish, except the blemish *which is inflicted* by ———²

Fosterage³ ('altrum'), i.e. great ('oll'), and nourishing ('torroigu'). Every blemish which is inflicted during fosterage is entitled to 'eric'-fine, as if it were inflicted by the hand.

What is the price of fosterage of the son and of the daughter of each person? Three 'samhaisc'-heifers, for the sons of the 'og-aire'-chiefs in general ; four 'samhaisc'-heifers is the price of fosterage of their daughters. The fosterage price is equal *for all ranks*, from the humblest man to the 'bo-aire'-chief. Three cows are given by the 'bo-aire'-chiefs, in general ; four cows by the 'aire-desa'-chiefs ; six cows by the 'aire-echta'-chiefs ; nine cows by the 'aire-ard'-chiefs ; twelve cows by the 'aire-forgill'-chiefs in general ; eighteen cows by kings in general.

A 'sed' in addition to these is the price of fosterage *paid by a father* for his daughter, because the household arrangements for her accommodation are more extensive than for the others (*the sons*).

The price of fosterage of the son of an 'Og-aire' chief is three 'seds ;' four 'seds' is the price of fosterage of his daughter.

That is, this is *the rule* for every 'og-aire'-chief, and for every man of the humblest grades, in order that they may not perform the fosterage for less, i.e. or for more, i.e. the honor-price of the secondary

barley meal upon new milk, taken with fresh butter. The sons of kings are fed on stirabout made of wheaten meal upon new milk, taken with honey.

"Some, however, assert that children of all ranks get the same kind of food till they reach the end of the first year, or of the third year, but the general custom is as we have written."

² By ———. The text is defective here.

³ Fosterage. In C. 82 it is derived from the Latin *alo*, to nourish. *altrum*, ab eo quod est *alo*, i.e., from the verb *alo*, I nourish.

FOSTER-
AGE.

in ghráð íf tanuiri lá mac in ghráð íf fearr, .i. ífēó íf lōg emuch, .i. darpaid ocuf dairt ocuf colpuch, .i. teorā ramuirce o nā teorā hogairuchuib, ocuf o nā teorā fearuib mōdbuib, ocuf on airē eēta bec ar altrum doib; no fairē do berur reoit urain ar altrum nā hingine, uair nach meiruch comuirce nā gairē a hairē iarctain, ocuf ífā innīfā a haltrum, ar a failce; no íf mēfā a lamuib, ocuf íf lūgā failter rochur do fadbaíl uaithe; no dono íf lūgā failtur lēfaiurucht in aiti do dénum dī iar nāoir diaitir.

Ingairē uan ocuf laeḡ ocuf meann ocuf orc, ocuf tīrūd, ocuf eirūd, ocuf cinnuūd, do munūd doib; bīo, ocuf lōrūt, ocuf cīrīathīrūd dīa n-ingeanuib.

Munū muinctur nā neche rīn doib, dā tīrīan nā hīarūta ar rīmāct ann don aithir. No cin cu muinctur, cu nā beḡ rīmāct ann, uair nī hecin munūd dāirīthe orrūd rīn.

Íarpuīd mīc bo eirēc cuīc reoit.

.i. do berur le mac gāc bo eiruch doib, .i. do gāc bo eirūg ann rō; no dono, íf donā bo eiruchuib ar a bī bo eiruchū, ocuf eniuchlunn in bo eirūc íf fairē do nā bo eiruchuib meodunchuib, ocuf eniuchlunn in oḡairē íf fearr don bo eirūg íf mēfā, .i. cūic reoit dā tēgūō teorā bā, .i. bo eirē ar a bī bo eirē, ocuf airē eīr dā eirūg, ocuf caithe cīrīche, ocuf airē echta íf beach,

¹ *Finished.* In c. 826, it is stated that seventeen years was the term of the fosterage of the son, and fourteen years that of the daughter.

² *To their daughters.* There is a condensed version of this article in O'D. 2238, in which this passage is briefly but clearly given as follows:—"The quern and the kneading trough, and the herding of lambs and kids, are to be taught to their daughters. Kiln-drying and wood-cutting are to be taught to their sons. If these be not taught there is a fine of two-thirds of the price of fosterage for it. But

grade *is given* with the son of the best grade, i.e. his honor-price, i.e. a 'dartaidd'-heifer, and a 'dairt'-heifer, and a 'colpach'-heifer, i.e. three 'samhaisc'-heifers, *are given* by the three 'og-aire'-chiefs, and by the three lowest grades, and by the inferior 'aire-echta'-chiefs for fosterage *done* for them; or it is for this reason that the additional 'sed' is given for the fosterage of the daughter, because she is not able to protect or maintain her foster father afterwards, and it is more difficult to nurse her *than the boy*, on account of the arrangements for her accommodation; or her labour is of less value, and there is less profit to be derived from her services; or indeed it is less expected that she will be able to support her foster father after she has attained the age at which her fosterage is finished.¹

The herding of lambs and calves and kids and young pigs, and kiln-drying, and combing, and wood-cutting, are to be taught to them (*the boys*); the *use of the* quern, and the kneading trough, and the use of the sieve to their daughters.²

If these things be not taught them, there is a fine of two-thirds of the price of fosterage *to be paid* to the father, *on account of the negligence of the foster father*. Or even though these things be not taught them, there is no fine for it, for no particular teaching of them *is prescribed by the law* as compulsory.

The price of fosterage of the son of a 'bo-aire'-chief is five 'seds.'

That is, *five 'seds'* are given with the son of each 'bo-aire'-chief to them (*the foster fathers*), i.e. by each 'bo-aire'-chief; or else it is *the honour-price due* to the 'bo-aire'-chiefs for their chieftainship, and the honor-price of the lowest 'bo-aire'-chief is *due as the price of fosterage* for the middle 'bo-aire'-chiefs, and the honor-price of the best 'og-aire'-chief *is due as the price of fosterage* for the lowest 'bo-aire'-chief, i.e. five 'seds,' which amount to three cows, i.e. the 'bo-aire'-chieftains of the highest rank, and those of the lowest, and the 'aire-etir-da-aire'-chief, and the 'caithe-criche'-chief, and the 'aire-echta'-chiefs of the highest rank, and the 'cano'-poet,

some say that there is no 'eric'-fine whatever for *not* teaching them, or any of the inferior classes, these things." The case is otherwise respecting the upper classes, from the 'aire-desa'-chief up to the king. *Vide* p. 157 *infra*.

FOSTER-
AGE.
—

ocur canu, ocur dor o griaðuib ríleð, ír eutrumu i n-iarraiuo ffrí
ceprt bo epríð.

Iarraiuo mic airuch, airuch tuire, 7rl. Incoire do
ealathun ɣ [naðaá].

Iarraiuo mic airuch, .i. da tecuit ré ba. Incoire, .i. incoirechur
do marcuigeét, ocur brannuigeét, ocur tiubruɣuð, ocur richilluchte,
ocur rnañ. Uaim, ocur cumu, ocur tpuinuchur, da ninɣeanuib.

Ocur da nearbut aire na gñima ro, cia fuil porir in aite inn?
In near do dena comuigeét eutruuð, no fer da muinntir
ocur fear a comɣraíð, íreð icur in taite inn ffrí in daɣta.
No rnañ ocur marcuigeét ocur ríðeallaét do munuð do, ocur
muna muintur, a foeluit comuigeétuig eaturra, ocur mac da
muinntur on aite don daɣta.

Iarraiuo mic ríð tpuichu ret. Eachuib i naimrír
imrime.

.1. loɣ eniuð in gñair buir ruime íre iarraiuo do bepuir la
mac in gñair buir ma ðiaíð, o ta bo eire cu ríð.

Eachuib i naimrír imrime, .i. each fæ i naimrír imrime.

.1. each ffrí ír in re ruthuim a ríera a ɣer eirim, .i. o aite o
reét mbliathuib amach, uair each on athuir fæ cu ceann reét

¹ *'Aire desa'-chief*. He was the first of the classes who had rank from his
dignity (descent and pedigree). The "bo-aire"-chief was estimated according to
cows and other property.

² *Price of fosterage*; that is, the price of honor of the higher grade was the
price of fostering the son of the grade immediately below him in the scale of dignity.
This was the case among the chiefs of noble grade only. Among the 'bo-aire'-
chiefs, and others of inferior grade, it was reversed, that is to say, the price of
honor of the inferior chief was the price of fosterage of the son of the higher grade.
To make this intelligible, a few examples will here suffice. Seek the honor-price
of a king, and it will be the price of fosterage for the son of the 'aire-forgill'-chief.

and the 'dos'-poet among the grades of the poets, all pay the same price of fosterage which is equal to the proper honor-price of the 'bo-aire' chief.

FOSTER-
AGE.

The price of fosterage of the son of the 'aire-*desa*'¹-chief, and the 'aire tuisse'-chief, is ten 'seds.' Instruction in the usual sciences is given him.

The price of fosterage of the son of the 'aire-*desa*'-chief, i.e. ten 'seds,' i.e. which amount to six cows. Instruction, i.e. he (*the son*) is taught horsemanship, and 'brann'-playing, and shooting, and chess-playing, and swimming. Sewing, and cutting-out, and embroidering, are taught to their daughters.

And if these accomplishments are wanting, what fine is imposed upon the foster father for *his neglect*? The arbitration which an impartial neighbour, or a man of his people and a man of equal grade with him to represent the other party shall make between them, is what the foster father shall pay to the foster son. Or he (*the son*) is to be taught swimming horsemanship and chess-playing, and, if these are not taught, the award which the neighbours shall pronounce between them shall be paid by the foster father, and the foster father shall give a boy of his people to the foster son.

The price of fosterage of the son of a king is thirty 'seds.' The foster sons shall have horses in time of races.

That is, the honor-price of the grade immediately preceding is the price of fosterage² which is given with the son of each succeeding grade, from the 'bo-aire'-chief to the king.

Horses in time of races, i.e. that he (*the foster son*) is to have a horse at the time of races.³

That is, a horse to ride at the proper time at which he shall require to ride, i.e. a horse is to be supplied by the foster father after the child has attained the age of seven years, for a horse must be sup-

Find the honor-price of the 'aire-forgill'-chief, and it will be the price of fosterage of the son of the 'aire-tuisse'-chief, and so on in the descending scale down to the 'aire-*desa*'-chief, the lowest of the noble grades. On the other hand, if you wish to find out the price of fosterage of the sons of the inferior ranks, you will have to begin below and move upwards in the scale of property. If you want to find the price of fosterage of the son of the man of the lowest grade, look for the honor-price of the next grade above him, and so proceed until you come to the 'bo-aire'-chief of the highest grade, where the inferior grades end.

³ Time of races. In the MS. the words 'σα βα,' i.e. 'two cows,' are placed over the word 'αυτοῦ,' 'time,' probably referring to the value of the horse to be supplied.

FOSTER-
AGE.

mbliáðun. Ocur o do bepa, ipeò òleḡur don aite in marcuig-
ucht do munað òo, ocur muna múintep, òa tḡrian na hiarpuata
ano ap rḡmachṡ. Ocur ciò énná òib nach muintep òoib, ata òa
tḡrian na hiarpuata ap rḡmachṡ ano don athair; no cuma òo
uoðéin do beṡ, uair ip pḡur ip roḡail; no cumað éachur a
roaltur cen deṡbir.

Ocur muna tucthur in teach, noch co nindlíḡech don aite cin
cu muine in marcarṡeachṡ, .i. ní òleḡur eich òóibh muna
tucthur eich leo. Ocur ní òlíḡep rḡnámh do múnað òóib muna
ruibe uirce inṡnamhað a comṡochruibe òia naitib, no òia
naitribh.

Mic na ríḡ òia mbuailṡep iat no òia cainṡtur, eirica a
mbuailṡe no a cainṡi òic ru, ocur cutrumur eirce a mbuailṡi
no a cainṡi don iarpuio no co ru a òa tḡrian na hiarpuata do
rḡmaṡṡ, ocur o ro ru nochu teit tairir. Áṡbeip in lḡur eile
cunub inunn mic na ríḡh, ocur na ríḡ, ocur na nḡrað rḡlathu,
ima mbualuð ocur ima cainuio.

Mic na nḡrað pḡini ocur na nḡrað rḡlathu, rḡlan a mbualuðh
ocur a cainuio áṡ narub tubu nainme no lḡranm, no cu ru
cneð for corp. Ocur ipeð ip cneð ann o ro ru rḡuiluḡa, no
cumuio éin tinninruio, ocur o ro ru, ip eirica a mbuailṡi òic ru,
ocur cutrumur eirce a mbuailṡi, no in tuba nainme, no in
lḡranma don iarpuio no cu ru a tḡrian na hiarpuata do
rḡmaṡṡ, ocur o ro ru, ni tet tairir. No cin cu be áṡ comurṡha
ann, ip cutrumur eirce in comurṡha rin don iarpuio ap rḡmaṡṡ
co ru a tḡrian na hiarpuata.

ḡné eile.

Ríṡcealluṡṡ, ocur brannuioṡṡ, ocur marcuigṡṡ ocur rḡnámh,
ocur òuibrucað òoib; uaim, ocur cumað, ocur òruinechur, òia
nínḡeanuib.

Ip ann ata in rḡnámh in tan ata uirce inṡnamuio a pḡarunn a
athur, no a fḡnathur, no aite. Ocur muna deapnṡtur in

plied by his father to the end of seven years. And when he (*the father*) gives the horse, the foster father is bound to teach (*the boy*) horsemanship, and if not taught it, a 'smacht'-fine of two-thirds of the price of fosterage shall *be imposed for the neglect*. And if any item of these (*the accomplishments above mentioned*) is not taught to them (*the sons*) there is a 'smacht'-fine of two-thirds of the price of fosterage due to the father; or it is due to *the son* himself, for it is upon him the injury has been *inflicted*; or *it is the same as sending him away from his good fosterage without necessity*.

FOSTER-
AGE.

And if the horse be not supplied *by the father*, it is not unlawful for the foster father not to teach horsemanship, i.e. it is not required *of the foster father* to give him^a a horse, unless a horse had ^a Ir. *Them* been given with him *by the father*. And it is not required to teach him^a swimming unless there is water fit for swimming in the neighbourhood of the foster father, or of their fathers.

If the sons of kings have been struck or libelled, they shall be paid 'eric'-fine for the striking or the libelling, and the amount of the 'eric'-fine or 'smacht'-fine for striking or libelling them shall be two-thirds of the price of fosterage, and when it has reached to this *sum* it does not go beyond it. The other book says that the sons of the kings, and the kings, and the chieftain grades are equal as regards the striking and libelling of them.

As to the sons of the Feini grades, and of the chieftain grades, it is safe to strike them and to libel them, but so as no blemish or nickname has been given, or a wound inflicted on the body. And a wound means *any incision* which causes bleeding, or it is a cut, and, when it comes to that, 'eric'-fine for striking shall be paid to them, and as much *more* as the 'eric'-fine for striking them, or for causing a blemish or *giving* a nickname, *is to be deducted as 'smacht'-fine from the price of fosterage until it reaches two-thirds of it*, and, when it reaches this *limit*, it does not go beyond it. Or though there should only be a mark *left on the body*, the amount of the 'eric'-fine for that mark *is to be deducted as 'smacht'-fine from the fosterage-price until it amounts to two-thirds of the fosterage-price*.

Another version.

Chess-playing, and 'brann'-playing, and riding, and swimming, and shooting, are *to be taught* to them (*the sons*); sewing, cutting-out, and embroidering to their daughters.

It is when there is water fit for swimming on the land of his father, or his grandfather, or his foster father, that the swimming

FOSTER-
AGE.

munad uile, no cid en ni doib na muinter, da trian na hiarriuta ar rmachta ann don athair, no cumad doib uodén do beð, uair ir riu ir roḡail; no cumad athair a foaltair cin deðbhair. Ocur munu fuil uirci mḡnána ir rlan.

Ir ann ata (no dligḡer)¹ in marcuḡeét in tan atá ech on athair fuí co cenn reét mbliadun, ocur munu múniter, 7rl. Ocur munu tuctur in tech ir rlan cin in marcuḡeét; ocur munu fuil machuire a fearann a athar, ce beð a fearann a aise, ni dleḡur a múnad; ocur ma tá a fearunn a athar, ata da trian na hiarriuta do rmachta ann munu muinter.

Mic na nḡrad péne; cid do ḡnithen a mbualuḡrde no a caineð ir rlan, aét na roib comuḡta no na roib tubu nainní no leirinn; ocur mað ed on, ir coirpḡire na cnerde inn, no eric in leirinn ocur in tubu nainníe; ocur cuḡrḡmair na heḡca rin don iarḡuid ar rmaét, co ró da trian na hiarriuta ar rmaét, ocur ni tét tairuir.

Mo eric in cainte no in buailte ann rin inar da trian na hiarriuta, no ir cuḡrḡmair fuir, ocur damad lúḡa inár, ní tét tair eric in buailte no in cainte.

Mic na nḡrad flaḡa inuḡrḡo, cid beð caineð no bualuḡ do berḡur forḡu, ata eric a cainti no a mbuailte doib, ocur cuḡrḡma na heḡci don iarḡuid ar rmaét, co ría da trian na iarriuta, ocur ni tét tairuir.

Cumdach mic rúḡ, loḡ reét reḡ.

.1. do macuib na nḡrad ata irliu bit inaili riu do beruit ar comateét, .1. cumtach a netaiḡ annḡo in la tiaiḡat ar iar nḡailḡri; no ire loḡ a netaiḡ i ro éuige, .1. no cumdach etuiḡ rri aenach, no rri a nathchur iar nḡailḡri. Leḡh uinge no

¹ The words in parenthesis are written over the preceding words in MS.

is to be taught. And if all the instruction is not given, or if one item of the accomplishments be omitted, there shall be a fine of two-thirds of the fosterage-price due to the father as 'smacht'-fine, or due to themselves (*the foster sons*), for it is really upon them the injury is inflicted, or it is the same as if his good fosterage is returned without necessity. And if there be not water fit for swimming in, it is safe *not to teach the swimming.*

The horsemanship is, or is obliged by law, to be taught, when a horse is supplied him by the father to the end of seven years, and if it be not taught, &c. And if the horse be not given *by the father*, it is safe not to *teach* the horsemanship; and unless there is a plain in the lands of the father, even though there should be *one* in the land of the foster father, it is not required to teach it; and if the plain be in the land of the father, two-thirds of the fosterage-price are due as 'smacht'-fine if it (*the horsemanship*) be not taught.

As to the sons of the Feini grades; though they should be struck or libelled it is safe, provided there be no mark or blemish inflicted or nickname given; and if there be, there is body fine for the wound, or 'eric'-fine for the nickname and for the infliction of the blemish; and the amount of this 'eric'-fine shall be deducted as 'smacht'-fine from the price of fosterage, until it reaches two-thirds of the price of fosterage for 'smacht'-fine, but it (*the 'smacht'-fine*) goes not beyond it.

The 'eric'-fine for the libelling or for the striking, is in this case greater than two-thirds of the price of fosterage, or it is equal to it, and if it be less than *the two-thirds*, it shall not exceed the usual 'eric'-fine for striking or libelling.

As to the sons of the chieftain grades, if injury be inflicted on them by libelling or beating, they have 'eric'-fine for libelling or striking them, the amount of the 'eric'-fine shall be deducted from the price of fosterage as 'smacht'-fine, until it reaches two-thirds of the price of fosterage, and it does not exceed this.

As to the decoration of the son of a king, worth seven 'seds.'

That is, they give it to the sons of the lower grades who are along with them for their society, i.e. this is the decoration of their dress the day on which they go away after their fostering is completed; or this is the price of their raiment, i.e. or the decoration of their dress for a fair, or for returning them after the fosterage has been completed. All these *seven* 'seds' are worth half an ounce or

FOSTER-
AGE.

raimuirí, na pet ro uile inoeguir o ta airm itir da aine, ocuf cumad do mac ríge tuaithe, ocuf mor tuaithe ro beá ina cumdach rin, ocuf a da cutrúma do mac ríge tuath, ocuf do mac ríge cuiceó, ocuf a tri cutrúma do mac ríge epeno. Al netaiḡi cuinḡaḡta talḡ rin ac in aite. No cumad iat loigí na netuiḡ do bepar leo amach iar nair diaitir, no na etaiḡi fein; no cumad iat a netuiḡ turcomruic no roḡloman, no iar ndiaitir.

ḡraḡu ríleḡ poenan cumu coir cengait.

.1. ceimniḡḡer iarriat o na ḡraḡuib ríleḡ ro cutrúma rir na ḡraḡuib aḡa comarḡu rriu do ríer coir, .1. ir poenan inann lium ro cumá no ro cutrúmaiḡi do ríer coir na etaiḡ rin do cheimniḡḡ do macuib na nḡraḡ ríleḡ re a comḡraḡa do ḡraḡuib tuaiti.

Saluch dillat.

.1. in tetaḡ do bepar im in rálcar, .1. brat duḡ ocuf inar duḡ do bepar don muime in tan berir in mac for altram, in brat ḡin lomur, ocuf in tinar cin tollur, ciḡ re mac ríge ciḡ re mac athaiḡ.

Ocuf ech imrime.

.1. in tech imrime ir re mac ḡraḡḡ ríatha do bepar, no re mac ríge. Ní tabair re macaib na nḡraḡ feine, ar ní muinḡir imrim doibríde.

Ar iḡ carut a nḡenelaiḡe.

.1. uair carḡanach leo na ḡenelaiḡ eilḡiḡther uaitib a clann, .1. i nḡilríne iar mbelair, amuḡ aḡa athair ocuf mac ocuf ua ocuf

half a 'samhaise'-heifer from the 'aire-itir-da-aire'-chief, and it is for the son of a king of a territory, and of a great territory, that this decoration is, and twice as much for the son of the king of territories, and for the son of a king of a province, and three times as much for the son of the king of Erin. These are decorations of their clothes whilst under the care^a of the foster father. Or they are the prices of the clothes which they bring out with them after the age at which their fosterage is completed, or of the clothes themselves; or they are their clothes of the meeting or of the festival, or after their fosterage is completed.

FOSTER-
AGE.

^aIr. *With-
in.*

The grades of the poets properly advance after a similar manner.

That is, the price of fosterage of the poet grades is graduated in the same proportion as the grades which are of the same rank with them according to justice, i.e. I deem it proper that these dresses should be by right proportionately graduated for the sons of the poet grades according to their ranks co-ordinately with the lay ranks.

The nursing clothes.

That is, the clothes that are given to keep them clean, i.e. a black coverlet and a black tunic, which are given to the nurse when the son is given to be fostered, i.e. the coverlet without being threadbare, and the tunic without being broken, whether *these be given* with the son of a king, or with the son of a person of inferior rank.

And a riding horse.

That is, the riding horse is given with the son of *one of* the chieftain grade, or with the son of a king. It is not given with the sons of the Feini grades, for horsemanship is not taught to them.

For their tribe relations are friendly.

That is, for the tribe relations who receive their children from them are beloved by them, i.e. the 'Geilfine'-tribe relationship in the

FOSTER- 1arṁua, ocuṛ inṁua co cuiceṛ; ocuṛ ḡeilṛiní 1ar cu1aib, .1.
AGE. brathaṛ thathaṛ, ocuṛ mac co cuiceṛ beoṛ.

Sechma maṛuṁ na reota ro 1ar naoiṛ dia1ṛin, cia rotoimleṛtuṛ
aoṛ na rognum 1aṛ, 1ṛ a naṛic amu1 beṛe. Munu maṛuṁ 1ṛin 1ṛ
a1ṛḡin amu1 be inich taṛ a neiṛ, no doṁa cia maṛuṁ cin cu
maṛuṁ, a1ṛḡin iníṁ oíṁ ann, ocuṛ taṛic na bo ocuṛ in neiṁ o reṁt
mb1aṁnuib amaṁ, maṁ maṛuṁ.

1n bo deṛba co na deṛuib, ocuṛ in tetaṁ inṛime, ciṁ ḡaluṛ
bunaṁ, ciṁ ḡaluṛ cunṁtabuṛtach, ciṁ uṛoiṁciṁ de tí ṛruu ré ré
n-íubaiṛe, a na1ṛḡina beoṛ doṛic on aṛthaiṛ doṁ a1ṛ; ocuṛ maṛ
ṛré ṛa1ṛ inṁcoiméṛa in a1ṛ deṁṛaṁ a muṁṁ, ní íṛa in ta1ṛin
1aṛ, ocuṛ íṛu1ṛheṛ ṛruṛ 1ar naṛ dia1ṛin ón a1ṛ.

1l a1ṛinṛ 1ṛ1l a1ṛḡin, ḡṛl., .1. alṛum cach me1ṛ
amu1 a 1iaṛu1ḡ.

.1. 1ṛ am1uṁ am aṛa do reṛu o1iḡiṁ; o1ṛtoṛuṛṛin do buṁ ocuṛ
do éṛaṁ ṛoṛ caṁ mac aṁu1 beṛ méṛ na 1aṛu1uṁ do beṛaṛ leiṛ.

Maṛa luḡa in talṛam tucaṁ ṛaiṛ na in talṛam buṁ coiṛ
aṛ mac a aṛaṛ, 1ṛ aṁu1 taṛic a m1aṛaiṛ coní deṛbuṛuṛ no
ciṁ deṛbuṛuṛ. Maṛo mo in talṛam tucaṁ ṛaiṛ 1ṛ a u1ṛi doṁ
mac amu1 1ṛ u1ṛi ḡacha com1oḡa biṛ 1ṛin in 1anaṁain, aṛ 1ṛi
in oṁṛmaṁ 1anaṁain a a1ṛe ocuṛ a u1ṛa.

Ciṁ ro deṛa coníṛuṛ in o1ṛiaṛu1uṁ, ocuṛ naṁ íṛṛuṛ in
inṛoṛeṛaṁ 1eṛaiḡi tucaṁ ṛoṛ in 1eṛanuṁ? Noṁun ṛu1
com1oḡa 1anaṁu1 1ṛin in a1ṛ ocuṛ in ta1ṛinṛ, amu1 aṛa 1ṛin
in a1ṛ ocuṛ in u1ṛa.

Aṛṛhuṛ a m1aṛaiṛ cen deṛbuṛe.

¹ Horse. The reading here is probably corrupt. The Irish word in MS. 'eṛaṁ' means clothes, but from the context it appears that the reading should be 'each,' a 'horse.'

direct line, such as the father, and the son, and the grandson, and the great grandson, and the great great grandson to the fifth generation; and the 'Geilfine'-tribe relationship in the reverse line, i.e. the brother of the father, and his son to the fifth generation.

But if these 'seds' are living after the age when the fosterage is completed, if the attendants have used them, they are to be restored as they are. If they are not living at all, restitution shall be made as they were at the time of *the completion of the fosterage*, or indeed whether they are or are not living, restitution of them must be paid, and the cow and whatever *animal was supplied by the father*, from seven years out shall be restored, if they be living.

As to the milch cow with its churn, and the riding horse,¹ if they are carried off within the proper period of the fosterage either by original disease, or doubtful disease, or by the visitation of God, (*i.e. lightning*) restitution of them must be made by the father to the foster father; but if it was through the negligent keeping of the foster father that they were lost, the father shall not make them good, and they shall be made good to him by the foster father after the fosterage is completed.

There is a time when there is restitution, &c., i.e. the fosterage of each son is according to his price of fosterage.

That is, it is thus according to the law; the supply of food and raiment is given to each son according to the amount of the price of fosterage which is paid for him.

If the fosterage given him is less than that which should have been given to the son of *such a* father, he must pay for bad fosterage, whether given without cause or with cause. If the fosterage given him was greater *than necessary*, it is forfeited to the son like every *claim of set off* which is between married couples (*or persons socially connected*), for the connexion between the foster father and his foster son is the eighth of these connexions.

What is the reason that the over fosterage-price is paid, and that the excess of fosterage bestowed on the child is not paid for? There is no *claim of set off* of social connexion, between the foster father and the father, as there is between the foster father and his foster son.

Returning the child unfostered without necessity.

FOSTER-
AGE.

.1. cen dērg, cen macrao for in lenum, aēt faill do ní cin
biaō cin étaō dō.

Ceithri tachcoir ocuŕ ceithri timŕairi do rímerum.

Tachcoir α μιαιτοιρ cin deēbire in μιαιταιρ ιρ οίλρ ino
iarpuiō uile, ιτιρ fuilleō, ocuŕ loŕ, ocuŕ ŕepc.

Μαō tachchur α θαγατρυμ, conimtuca loŕ neich ro paα-
bair, 7rl.

Μαο timŕaire cen tachchur ŕin μιαιλλταιρ, nι doŕlen ba don
iarpuiō.

Μαο timŕaire α θαγαλλταιρ co nδεēbire in timŕaire, loŕ
neich ro αλλταιρ 7rl.

Μα timŕairi α μιαιλλταιρ cin deithbiri ι μιαιλλταιρ, nι paαaib
air map timŕairi hι ruioiuŕaō.

Μαο timŕairi α μιαιλλτυρ co nδεēbiri, ocuŕ do beir aite
liach, trian do paŕbaib rri timŕaire, ocuŕ riaino in oá trian
eile ιτιρ nē ocuŕ in biaō.

Tachur cen μιαιτυρ.

.1. tachchur α θαγατρυμυ cen deēbiri. 1ŕ tairic aithŕina
in iarpuiō, tachur α θαγατρυμυ oia mbi deithbiriur; ocuŕ
timŕairi α θαγατρυμα, oia mbi deithbiriur. Loŕ neich poαltyr
pacabur do ceētaiŕ de, .i. oia tecma don aite oul oia ēir, no
oia tecma don aithir oul ar α tir, ocuŕ ιŕ omain leiŕ α mac
do paαbaib oia eir, conit ruinn inoē, ιτιρ nē ocuŕ ēpaethur.

Sic. 1ŕeo ιŕ deithbiriur ruinn neētaiŕ de oib ac oul α ēir, in tairic
no in tairir. 1ŕeo ιŕ deithbiriur romuino 7c̄ no macraō.

Tachchur α μιαιτρυμ αρ θυμυρ, nι pacabur nach romuine ac
in aite. Timŕairi don athair αρ θυμυρ, cio con θαγατρυμ
no cio α θποχατρυμ, nι beir nι ιτιρ aēt α mac.

¹ *Recallings.* The four recallings are set out in the paragraphs after the one
following this.

² *Itch.* Itch, 'scrutach,' is probably the word for which the contraction 7c̄ in
the text was intended.

That is, without redness, without disease upon the child, but he (*the foster father*) neglects to give him food and clothing.

Four returnings and four recallings¹ are reckoned.

The returning of the child unfostered without cause for the non-fosterage incurs forfeiture of all the price of fosterage, both addition, increase, and milk.

If there be a returning of a fosterable child, he (*the foster father*) must return the price of what he got with him, &c.

If he (*the father*) take away the child without his being returned and without bad fosterage, *on the part of the foster father*, he cannot recover aught of the price of fosterage.

If he take him away from his good-fosterage because it is necessary that he should take him away, *he shall pay* the price of the fosterage performed, &c.

If he takes him away from his bad fosterage without necessity arising from bad fosterage, he shall not then recover aught for his taking away.

If he takes him from his bad fosterage with necessity, and the foster father makes hard complaint, one-third of *fosterage-price* is recovered for the taking away, and the other two-thirds are divided between the *compensation for time lost*, and the food consumed.

Returning without bad fosterage.

That is, to return a fosterable child without necessity. The returning of a fosterable child incurs restitution of the fosterage-fee, if there be necessity; and taking away a fosterable child, if there be necessity, *incurs restitution also*. The price of the fosterage performed is deducted in either case, i.e., should it happen that the foster father had to go from his territory, or should it happen to the father that he had to go out of his territory, and that he is afraid to leave his son behind him, *the price* is then divided in two parts, between time and labour.

Necessity here means either of them having to go out of his territory, the natural father or the foster father. The necessity mentioned above means *the child being affected with itch² or disease, and when the foster father did not choose to keep him under his care*.

When the child not fit for fosterage is returned through pride, none of the price of fosterage is left to the foster father. When the father takes away *his son* out of pride, whether the fosterage be good or bad, he recovers nothing at all but his son.

FOSTER-
AGE.

Մաժ ճալսր ին քրիստոս լիցիր, իր աւիցին ցարք արքայ ծոն
 ածար. Շիժ ածար տւոցար, Երկրժ աւիցին շէտն. Պա
 քրիստոսաւեր լիցիր, իննի ին քո արեւոյ քրի ծոն իարքաւ Երկրժ
 ածար. Շիժ ածար տւոցար, Երկրժ աւիցին շէտն, օսար
 քաւսն տրան օրն մեղ.

Շիւրի տաժիւր օսար շիւրի տւոցար ծո քիւն քոն :
 տաժիւր ա մալար ցին ծիւրի ին մալար, օսար տւոցար ա
 ծալար ցին ծիւրի ; իր ծիւր ին իարքաւ սիւ, ին ա տարի սիւ
 ի շէտն. Մաժ տաժիւր ա մալար օն ծիւրի ին մալար,
 ին տաժիւր ա ծալար ցին ծիւրի, ին տւոցար ա մալար
 ցին ծիւրի ին տւոցար, օսար օն ծիւրի ին տաժիւր, իր
 տարի աւիցին ին իարքաւ սիւ, ին ա քաւսն սիւ ին ճաժ ին
 ծի քո.

Մաժ տաժիւր ա ծալար օն ծիւրի, ին տաժիւր ա
 մալար օն ծիւրի ին մալար, օսար ին տաժիւր ին
 տւոցար ա ծալար օն ծիւրի, ին ծիւր ին ալար
 քաւսն ծոն իարքաւ ին ճաժ ին ծի քո.

Մաժ տւոցար ինքն ա մալար ցին ծիւրի ին մալար,
 ին քաւսն ին քո տւոցար ա քիւն.

Տաժիւր ա քալար ցին ծիւրի, իր աւիցին ին իարքաւ ծոն
 ածար. Մա ծիւրի, իր քիւն ին քո օսար ծալար ; ին
 ին ինքն ին քոն ին մալար օն ծիւրի ին մալար,
 օսար օն ծիւրի ին տալար, ին օն ինքն. Մա ծիւրի
 ին մալար, ին տալար, իր աւիցին ին իարքաւ ծոն ածար.
 Մա ին ծիւրի ին ծիւրի, իր սիւ ծոն ածար, ին քիւն
 օսար ին օսար ծիւրի.

Տւոցար ա քալար ցին ծիւրի, ին քիւն ածար ին ծիւրի
 ին քոն ա մալար օն ծիւրի ին մալար ; օսար ինքն քիւն

If there be disease without medical attendance, there is restitution of his original fosterage-fee *to be made* to the father. Should the father take away the child, *in this case* he shall likewise get restitution. If medical attendance be supplied, the father shall obtain that part of the fosterage-fee which was not spent on it. If the father take him away, *in this case* he shall likewise get restitution, and he leaves one-third of the fosterage-fee for the performance of the implied contract.^a

FOSTER-
AGE.

Four returnings and four recallings are here reckoned ; returning a child being not found fit for fosterage, without necessity for bad fosterage, and taking away of a fosterable child without necessity ; in either case all the fosterage-fee is forfeited, or to be restored. If the child not fit to be fostered be returned with necessity for the bad fosterage, or the fosterable child be returned without necessity, or the child not fit to be fostered be taken away without necessity for the taking away, and with necessity of the returning, in each of these cases restitution of all the fosterage-fee is to be made, or it is all to be left.

^a Ir. Con-
tract of
mouth.

If there be a returning of a child fit to be fostered with necessity for the returning of it, or a returning of the child not fit to be fostered with necessity for the bad fosterage, and of the returning or taking away from good-fosterage with necessity, the price of the part of the fosterage performed is deducted from the fosterage-fee and left to the foster father in each of these cases.

But if there be a taking away of the child not fit to be fostered without necessity for bad fosterage, nothing is left to the father for taking away then.

When a fosterable child is returned without necessity, the fosterage-fee shall be restored to the father. If with necessity, the fosterage-fee is divided between time and labour ; or if indeed he (the foster father) should select to retain him in the case of bad fosterage with cause for bad fosterage, and with cause for returning, he shall not have the choice. If without necessity for bad fosterage, or for returning, there is restitution of the fosterage-fee to be made to the father. If there be both bad fosterage and cause for returning without necessity, the father shall have all, both addition and increase and milk and restitution.

In case of taking away a child from good-fosterage without necessity, the father shall not recover anything whatever. This is so also in the case of bad fosterage with necessity for bad foster-

FOSTER-
AGE.

իմ շիւղայիս ան ըն, իր ըստ իւր ըս օսի իր օսի; ոչ մօտ
մտօճա լեօ անիւր ին ին օսի իւր. Մօտ ին օսի իւր
իմ մօտիւր, իր սիւ ին օսի անիւր, սիւ իր օսի իւր
իմ շիւղայիս.

Շօրօ անիւր իւր; իւր, օսի անիւր, օսի
տօճա.

.1. իմ իւր, օսի իմ իւր, օսի իմ տօճա .1. իմ իւր իւր, իր
անիւր իւր ըս օսի իր օսի; ոչ մօտ իր իւր
նախ անիւր ըն; օսի իմ իւր, .1. իմ անիւր. Մօ
տօճա իմ իւր իմ իւր օսի իմ իւր, օսի իմ իւր
անիւր իւր իւր իւր, իւր անիւր իւր իւր իւր իւր
անիւր իւր իւր. Մօ տօճա իմ իւր իւր իւր իւր
անիւր, օսի իմ իւր իմ իւր իմ իւր իւր, իւր անիւր
անիւր իւր իւր իւր.

Իմ տօճա իւր, մօ տօճա իմ իւր իմ իւր օսի իմ իւր,
օսի իմ իւր իմ իւր իմ իւր, իւր անիւր իւր իւր իւր
անիւր.

Մօ տօճա իմ իւր իմ իւր, օսի իմ իւր իմ իւր
իմ իւր օսի իւր, իւր անիւր իւր իւր իւր իւր.

Ու իւր իւր իւր իւր իւր.

.1. իմ իւր իւր իւր իւր իւր իւր իւր, .1. իմ
անիւր իւր իւր իւր իւր իւր իւր. Իւր իւր իւր
անիւր իւր իւր իւր իւր, մօ իւր իւր իւր իւր
անիւր, .1. իւր իւր իւր իւր իւր իւր իւր.

Անիւր իւր իւր իւր.

¹ For his Crimes.—In C. 688 a passage occurs in connexion with this subject, to the following effect: “The crime of a son while being fostered, on whom do his crimes fall? i.e. his first crime without intention, without neglect, and his crimes of neglect are all upon his foster father.

“If he gave notice of his criminality to his father, or if the father himself was

age; and if he (*the father*) take away then, it (*the fosterage price*) is divided between time and labour; or if both should choose it to be *as above*, without any necessity whatsoever, *the fosterage price shall be similarly divided*. If *the child is taken away from bad fosterage* without necessity for bad fosterage, all then shall be made good to the father, for the taking away is necessary.

FOSTER-
AGE.

There are three periods at which fosterage ends: death, and crime, and selection.

That is, *in case of* death, and crime, and selection, i.e. *in case of the marriage* of the child, the fosterage-fee is equally divided between time and labour; or it is so *in case of* death only; and in crime, i.e. without intention. If the foster father offers the food and raiment, and he cannot induce the father to be responsible for his (*the son's*) crimes,¹ the case is similar to the father's taking him away from his good-fosterage without necessity. If the father offers to be responsible for the crimes, and he cannot *get* from the foster father the food and raiment, it is the same as returning from a good-fosterage without necessity.

As to the selection, if the foster-father offers the food and the raiment, and he could not *get* the *wedding-gift* from the father, it is the same as taking away from a good-fosterage without necessity.

If the father offers the overplus, and he could not *get* the food and raiment from the foster father, it is the same as returning from a good-fosterage without necessity.

Neither the foster father nor the foster mother are capable of returning *the child*.

That is, without one of the three conditions which we have mentioned, i.e. they shall not return him if it be better for them not to return him. There is *but* restitution without increase, milk or addition, if the compact is impugned by notice of one day, i.e. *in case* another person who is more entitled to the fosterage, impugns it (*the compact*).

Fosterage of affection without fosterage-fee.

aware of it, his father shall pay for his crimes, not of neglect, and his crimes of neglect shall be paid for by the foster father.

"Unless his criminality has been made known to the father, his crimes, not of neglect, shall be paid by the foster father."

FOSTER-
AGE.

.1. ní ólegur rmaót na coirpóire inro, .1. in taltruma do ní nech ar rercuiró leir can iarpuiró do tabairt lair. In taltrumu reirici gin iarpuiró, caó roḡail do genu re amach re nech eile, ocuf do gentur rir amuich, ciamao aíl a naccra for aite no for a buime, noch a ólḡeē, uair nach uraíl do ríḡnī orpo ocuf naó tucad iarpuiró lair; no dono chena ir aétuḡaó ro aétaiḡertur in tan ro ḡaburtur hé na hicraoir a cinuiró.

Ní ríl rri hiarraicē anechtair do airc cīd iar nḡaílair.

.1. bar, ocuf anḡlonnur, ocuf toḡa, .1. in tralach oílac, ocuf in bo dearbā, no olliarpuiró, ocuf na neiche a dubrumar romuinn truar; no ní ro caiteō don iarpuiró.

Marā ḡalur bunuiró cinoti rucurtur na reoit re re n iubaile, reoit a comaicinta on aithir don aite.

Marā ḡalur cunnatabartach, ir a leó oíc on athair don aite, ocuf a nairic ro uile on aiti don athair iar nair diaílair. Cīd be aḡaḡ, ḡnaó no inḡnaó, beirur iat iar re niubaile, munu mairit buoin iar nair diaílair, reoit a comaicinta on aite don athair; no dono co na beó re niubaile daithreḡaó riu do ḡref, aét aithḡin oíc don athair ann; uair maro ḡaḡaó iat ac in aite, ir a nōire oíc rir in athair ann, ocuf enecunn oíc re ceḡair de, .1. don aite ocuf don athair.

Ní mirech rerp in iarraicē a thumḡaire.

That is, there is no 'smacht'-fine or body-fine due in this *case*, i.e. *in the case of* the fosterage which one performs out of affection for him (*the child*) without a fosterage-fee being given with him. *In the case of* fosterage of affection without fosterage-fee, every trespass which *the child* shall commit against another person, when not with his foster-parents,* or which is committed against him when not with his foster-parents,* though *eric-fine* for them may be demanded of his foster father or of his foster mother, *the demand* is unlawful, because they were not bound to *pay it*, and no fosterage-fee was given with him; or else indeed there was a stipulation made by them when they took him that they would not pay for his crimes.

FOSTER-
AGE.

* Ir. Out-
side.

Something in addition to the fosterage-fee is to be returned by either party after the fosterage is ended.

That is, *after the fosterage is ended by death, crime, or selection*, i.e. the nursing-clothes, the milch cow, or the over-fosterage-fee, and the things which we have already mentioned above; or that part of the fosterage-fee which was not consumed.

If it be an unquestionable original disease that carried off the 'seds' (i.e. *cattle given with the child in fosterage*) during the proper period of the fosterage, 'seds' of the same nature and value must be given by the father to the foster father.

If it be a doubtful disease *that has carried them off*, the half of their value is to be paid by the father to the foster father, but the full value of them is to be restored to the father after the fosterage is completed. Whatever death, usual or unusual, has carried them off after the proper period, unless they themselves are living after the age at which the fosterage is completed, 'seds' of the same nature and value shall be given by the foster father to the father; or else the proper period is never to be taken into consideration respecting them, but restitution is to be made to the father in the case; for if they have been stolen from the foster father, 'dire'-fine shall be paid for them to the father, and honor-price shall be paid to both, i.e. to the foster father and to the natural father.

The person who gave the fosterage-fee cannot take it back.

FOSTER-
AGE.

.1. nochā cuimgech in fep innaigir in iarruir amad (.i. innaigir in iarruir inna) don aite, a cuimgeair amuich, ar ir ann ro on ir uile in iarruir uile don aite, cio marb in dalta re noiaitir, dia toirici altrumu do denum co ro caitheo i fil gin caithem don iarruir, .i. dia mbe altrumu oca athair (.i. ric a ler altruma). Ocu munube, ir ruinn itir re ocu tpaothur. Ocu maō forogair in taite a bithbinde dia athair, ocu ni icann cinuio a mic, ir uile in iarruir uile don aite. No dia toirige a biathad ocu a eideo oc denum dāna i nocu don aite, ocu ni gaid in dalta, ir uile in iarruir don aite. No comadeo buo ail don aite, gabail in imrocruiro na iarprata no co mbeo ac in athair lenum ric a ler altrum, no co comuic rin imuicraio na iarprata dairic uao don athair.

Maō forae fepailir fpi altrum mic in air arailē.

.1. maō fpi gabur in fep do ne in taltrum in iarruir re haltrum mic ir in air i roibe in mac ir marb anō, no ir in air nape in mic ir comaoir fpiu diambe oco, no cio rinuo do beap, cio mō cuir an mic deidenuig, ir luza a daetain do buo ocu detach.

Ni mipech nech arad altrum for aite.

.1. nochā cuimgech nech a arad ar in aite, on meir ir

¹ *Defendant.* This parenthesis is interlined in the MS. here.

² *Fostered.* This parenthesis is also interlined in the MS. here.

³ *Profession.* Denam a dāna means learning a trade, art, or science; oc denam a leiginn means studying.

⁴ *Of the same age.* This case assumes first, that the first boy was dead for some time, and secondly, either that the father had twin children born to him, or that

That is, the person who sues for the fosterage-fee as plaintiff^a (i.e. who sues for the fosterage-fee from the defendant^b) from the foster father, cannot seize it as plaintiff,^a (i.e. from the foster father), for in this case all the fosterage-fee is really forfeited to the foster father, even though the foster child died before the expiration of the period of the fosterage, if he offers to perform fosterage (i.e. to foster another child) until what remains unspent of the fosterage-fee is spent, i.e. if the father has fosterage, i.e. another child (which requires to be fostered.²) But if he has not, it (the remnant of the fosterage-price) is to be divided between time and labour. And if the foster father warned the father of his child's criminality, and that he does not pay for his son's crime, all the fosterage-fee is forfeited to the foster father. Or if he had offered to feed and clothe him (the son) while acquiring a profession³ near the residence of the foster father, and the foster son did not accept of it (this offer), the fosterage-fee is forfeited to the foster father. Or the foster father may, if he likes, retain the excess of the fosterage-fee until the father shall have a child requiring to be fostered, or until he is able to restore the excess of the fosterage to the father.

FOSTER-
AGE.

^a Ir. With-

^b Ir. With-

If he retains it for fostering a son of the same age with the other.

That is, if the person who performs the fosterage retains the fosterage-fee for the purpose of fostering a son of the age of the son who died, or a son of the same age⁴ with him, should he (the father) have such, or if an older son⁵ be given him, though the last son has a larger portion, he requires less food and clothing than the other.

No person can force the foster father to take into fosterage a son beyond the age.

That is, no person is able to compel the foster father to do so,

he had two sons of the same age by different women. The elder son referred to might be a brother of the dead child taken for some reason from his first foster father and transferred to the present person.

⁵ Older son. As the term of the fosterage ended at the age of seventeen years, the older the transferred boy was the less was the price of finishing his fosterage, for though he required more food and larger clothes his time was shorter.

FOSTER-
AGE.

διαλιτρημα in δαλτα πο ποιριτνιζεττυρ εινε παθεοιρ, ιαρ τοχαι-
them na πει nar caitē in cēt δαλτα.

Ir ae τοξα.

Ir λειρ α ποξα το πειρ αει ιμιν cēt αλτρυμ, .i. ματια
νυρογρα τον αιτε α διτθινσε τον αθαιρ, ουρ ni πετυρ on
αθυρ biτ παι, ir amuil τιμγαιρε τον αθαιρ. Μαρ αιριτιυ
ιμυρπο λαιρ in αιθυρ beτ πο cιναρ, ουρ ni λειρ in ταιτε oco, ir
amuil αθηυρ τον αιτε ριν, ουρ το ταιρις, .i. τον αθυρ on
αιτε ιννι na πο τοχαιτ in lenum τον ιαρρυιρ; ουρ ni ριλ
lenb i παιρ αραιε con αθαιρ ann, no cia beτ, ιρε ποξα in αθαρ
in ιμφορεραιρ ταιρις υαρ.

Μαρα μαρb in lenb πει παιρ διαλιτρη, ματα ac in αθαιρ
ιμυιuch lenb ριc αλερ αλτρυμυ πο cέτοιρ, i ποξα in αιτε in
αλτρυμυ το denum ir in ni na πο caitē τον ιαρρυιρ, no me in
ιμυρρυιρ na ηιαρρατα cυιρερ υαρ.

Μunu ρυil ac in αθυρ lenb ριc αλερ πο cέτοιρ, cumeτ buo
ail τον αιτε γαβαil ιμυρρυιρ na ηαρρατα, γηλ., ir υιλερ in
ιαρρυιρ υιλε τον αιτε.

Οξ ιαρρατ co παρμιτθερ ρηι πει.

Sic.

.1. in ηγιαρρατ; ir α ποξα in αθαρ ατα in εινει βειρυρ an
lenum no in τυilleτ ιαρρατα το βεραι λειρ; ουρ ni ae ποξα in
αθυρ αιρις in λιουb cin cob ail τον αιτε α αιρις; ni ρυil τυilleτ
ηαρρατα το.

¹ *Had not spent.* The text is here defective, and the commentator has barely preserved the custom in words sufficiently clear, though brief and abrupt. The custom was this:—"If the first son sent to be fostered happened to die before the expiration of seventeen years, it was optional with the father to send him a son of the same age as the son who died, if he had such, or an older son under the age of seventeen, but he could not compel the foster father to take a son above the age of seventeen to put in the time." The reason of this exception is obvious enough; but it is not easy to conceive why the father should wish to send a son already fostered in the place of the son who died, unless, indeed, such son were an idiot, or one incapable of doing anything for himself.

when the foster son sent him last is beyond the age of fosterage, to put in the time which the first foster son had not spent.¹

FOSTER-
AGE.

There is a choice² *allowed* by law.

That is, it is his to choose according to law respecting the first fosterage, i.e. if *the child's* criminality is made known to the father by the foster father, and the father cannot *be got* to be responsible for it, it is like taking away the child by the father. But if the father consents to be responsible for his crimes, and the foster father did not permit him *to be so*, it is like returning the child by the foster father, and repayment is to be made, i.e. the part of the fosterage-fee which the child had not spent *shall be returned* by the foster father to the *natural* father; and *if* the father has not a child of the same age with the other in this case, or *if* he has, the father can choose whether the excess be returned by him (*the foster father*).

If the child dies before the age when the fosterage is completed, if the father has a child not in fosterage^a which requires to be fostered immediately, it is left to the choice of the foster father whether he shall perform fosterage for that part of the fosterage-fee left unconsumed, or return the excess of the fosterage-fee.

^aIr. *Outside*.

If the father has not a child which requires *to be fostered* immediately, and that the foster father should like to retain the overplus of the fosterage-fee, &c., the fosterage-fee is then forfeited to the foster father.

Full price of fosterage is reckoned by the time.

That is, the under-fosterage³-fee; it is *left to* the choice of the father whether he shall take the child *home* or give additional fosterage-fee with him; but it is not in the choice of the father to take back the child if the foster father does not like to return him; *he* shall not receive any additional fosterage-fee.

² *Choice*. This means the mutual consent of the parties; or where one party is given his choice by the other.

³ *Under-fosterage*. In O'D., 1450, the definitions of this and other terms are given, to the following effect:—"If the fosterage which he received be the fosterage due to him it is called 'cert-iarrath,' just fosterage-fee; if it be greater it is called 'oll-iarrath,' over-fosterage-fee; if it be less it is called 'ing-iarrath,' under-fosterage-fee."

The word 'ινϚ' signifies scarce or scant in this compound; 'ceṛṛ' means right or just; 'oṡ,' complete or perfect; and 'oṡl,' great or excessive.

Over-fosterage-fee requires one fosterage after another.

FOSTER-
AGE.

In the case of over-fosterage-fee, one fosterage is required to be performed after another. And it was in ignorance the father had given it; but if he had given it knowingly, it will be forfeited by him, like every default with knowledge. But the over-fosterage-fee, i.e. the excessive fosterage-fee which was given with the son, shall be restored to the father, unless both of them, the foster father and the father, agree to have fosterage performed for the overplus of the fosterage-fee, for there is no set off of debts between the foster father and the father respecting the fosterage-fee as there is between the foster father and the foster son respecting the overplus of food and clothing which the foster father expended on the foster son; or, indeed, if the father has a child which requires fosterage, it is in the choice of the foster father whether he allows the value in fosterage or returns the overplus.

Full-fosterage-fee now; twelve cows and seventeen 'screpalls' and a working horse. It is called fosterage-fee because the chief has it as a fee upon the foster father if he abscond with it; for that horse is afterwards an overplus upon him, or a second fosterage-fee.¹ A cradle coverlet is given to him, and a skillet, and a milch cow, which, being milked into a vessel of twelve inches in diameter, fills that vessel. It takes the materials of three cakes of man-baking, or six of woman-baking, to fill it. This is to be made into three messes of stirabout for him while he is spoon-fed,^a and into as many ^{a Ir. A skil-} meals of bread while he is a fresh-diet-boy, and he is to have milk ^{let-boy.} with it always on week days, and butter on Sundays.

In whatever way the completeness is increased in the fosterage it increases participation and the emolument of the foster father.

The responsibility of the foster child's crime is upon the foster father till the age at which the fosterage determines, i.e. seventeen; for the responsibility and the fosterage are inseparable: the faults of the sensible adults or their dignity will not affect the foster father from that out.

These are the two dangers to fosterage: *the first*, to return the child before the time to his people, for which all the fosterage-fee is taken away except the milch cow, *which is retained*, even though it (*the fosterage*) lasted only one year. The other danger is, that

FOSTER-
AGE.

muinntir beiruit, ocuf facbuir in iarruad uile la nech no do aile, ar ir tligtheo ceotar nae oib dia raire.

Cinuio mic naletumui, cia forpa tiagat?

.1. a cet cin compuiti for aite inech i roic ann; eric cuna denum tri faille, ocuf a cirta faille uili for aite, cið riu nuproca cið iar nuproca a cet cin compuite cin faille, ocuf a cirta faille uili for aite.

Mað ro upocair a bithbince don athair, no ma ro firtir fein, a cirta bithbince cin faille do ic don athair; ocuf a cirta bithbince co faille oic don aite.

Irð ir cirta faille ann a denum a firtuiri gin firtire, no i nairir. Irð ir cirta bithbince gin faille ann, a denum tar faruðad i firtuiri.

Muna ro upocair a bithbince itir don athair, ir cirta bithbince co faille ocuf gin faille oic don aite.

Of iar firtuioð mað ro firtur, o leartia no arta.

.1. mað iar na roca don aite a bithbince don athair, ocuf ni etur on athair firtir, ir amuil tiungaire, .i. roaltair cin detbir, oir oð nairuata don athair. Mað airtir imurro lair in athair beð firtir (no ro) cinuio, ocuf ni lecenio a aite oca, ir amuil athchor don aite rin, .i. a roaltur gin detbiruif, ocuf cerit aithgin dairic ann.

Cret ir lepuio ar leit, no ir arta ar trian do na deoruib

¹ *Be found.* The text is here defective.

² '*Lepuidh'*-sheltering, &c.—*Vide C. 2548, et seq.*

the child may be taken away by his people, in which case they leave all the fosterage-fee to the person who fosters, for both are bound to cede these conditions to each other.

FOSTER-
AGE.
—

The crimes of the foster son, on whom do they fall ?

That is, the foster father is responsible for the first crime of intention as far as it extends ; ‘eric’-fine is *to be paid* for the committing of it through neglect, and his crimes of neglect are all upon the foster father, whether before warning or after warning *the father* of his first crime of intention without neglect, and all his crimes of neglect are upon the foster father.

If the father was warned of his (*the child’s*) criminality, or if he himself knew of it, his crimes of delinquency without neglect shall be paid for by the father ; and his crimes of delinquency with neglect are to be paid for by the foster father.

Crimes of neglect are those which are committed in the presence of *the foster father* without being prohibited, or without his knowledge. Crimes of delinquency without neglect are those which are committed in violation of, (*i.e. against the will of the foster father,*) in his (*the foster father’s*) presence.

If he (*the foster father*) did not warn the father of his criminality at all, the foster father shall pay for his crimes of delinquency with neglect and without neglect.

And after this if it be found¹ from ‘leaptha’-sheltering of a criminal, or ‘apadh’-sheltering of a criminal.

That is, if, after the foster father had warned the father of his *son’s* misconduct, he cannot *get* the father to be responsible for it it is the same as taking back, *i.e.* a fosterable child without necessity, the entire fosterage-fee is forfeited by the father. But if the father agrees to be responsible for his *son’s* crimes, and that the foster father does not permit him *to be so*, it is like sending back the child by the foster father, *i.e. returning* a fosterable child without necessity, and he shall make a just restitution of *the fosterage-fee* in the case.

What is “‘lepuidh’-sheltering² is *estimated* at a half,” or “‘aptha’-sheltering at a third,” to the strangers and the persons from beyond sea, since they have no tribe themselves ? “‘Aptha’-sheltering

FOSTER-
AGE.

ocur do na murchuiré, uair noch a nruil fine aca buóein. 1^{re}ó am 1^{re} apéa ar trian doib fine i nurruió ar a taitte gnuin. 1^{re}reó 1^{re} lepta ar leé imurro cach fine o éa rin amach.

1^{re}noilef cach iarruió tar ainme inóeithéire.

Sic.

1. ni ólzigó fer ailef ni diarruió maó ainmech, aét trian, 1. 1^{re} maó deébiru in ainim, 1. bíó iafu fir, 1. muinur o dia, 1. 1^{re} inólef in iarruió don aite o ferfuitheir ainm-eneíde ar in óalca tpe inóeébiru, 1. gín a coimec don aite ar ruu ocuf deoruióib. Maó ruip neich eile imurro, 1^{re} rlan riach a ropu pa mbithbíné on tí 1^{re} a ae, ocur óa trian in iarruiáta, no cept loz na hainme o aite; a eprocaire.

Maó trocaire imurro, 1^{re} tuilleó don iarruió fer éinca in ruip co roibe loz na hainme ann, maó luza cin in ruip inó ina ainme.

Maó coónach imurro ruachnuigef fer, aó deoruió aó uruió, óa tarpuirur fair, ni ícanó in taitte ni fer in athair. Ocur aó ruip donó, inóeébiru don aite cin a imcoimec; ocur ci cept ruipum, óa trian gá cinuó do gúitheir fer cein ber acu; ocur trian in cach cinuó do gúitheir fer iafu noul uáó.

¹ *Wicked beasts.* Bulls, rams, dogs, &c.

² *Less than the blemish.* This shows that the injury inflicted by the 'Rop,' or wicked beast, was calculated according to the nature of his attack, and that the foster father was fined according to the injury resulting from that attack. Thus (to suppose a case), if a bull gore a boy, the bull (or rather his owner) shall be fined for *goring*; but if he destroys the boy's teeth, or puts out his eye, the foster father shall be fined, not relatively to the crime of the bull, but to the injury sustained by the boy. If the fine for *goring* be equal to the fine for the injury inflicted on the foster child, then the foster father is free, except as to the levying of the fine, because the owner of the bull is bound to pay for the injury; but if the injury inflicted be more than the fine for *goring*, then the difference shall be deducted from the fosterage-fee which is in the foster father's hands until it amount to two-thirds thereof, but shall not exceed it.

at a third" to them applies to the tribe of the native on whose land they are. But "'leptha'-sheltering at a half" applies to every tribe from that out.

Unlawful is every fosterage-fee beyond the avoidable blemish.

That is, the fosterer is not entitled to any part of the fosterage-fee if he (*the foster son*) be blemished, except one-third, i.e. if the blemish could have been avoided, i.e. it is after knowledge, i.e. unless it be from God, i.e. the fosterage-fee is not lawfully due to the foster father when a wound-blemish has been inflicted upon the foster son when it might have been prevented, i.e. when he (*the child*) has not been guarded by the foster father against wicked beasts¹ and strangers. If the wicked beasts belong to another person, full fine for the injury is to be paid by the person whose property they are, and two-thirds of the fosterage-fee, or the full fine, for the blemish by the foster father; this is the severity of the case.

If it be the leniency, some more of the fosterage-fee is to be added to the 'eric'-fine for the crime of the beast until it reaches the value of (*i.e. the fine for*) the blemish, provided that the crime of the beast be less than the blemish.²

If it be a sensible adult that has attacked him (*the child*), whether a stranger or a native, if they have inflicted a blemish on him, the foster father shall pay nothing to the father. But if it be wicked beasts, it is unlawful in the foster father not to guard him *against them*; and if justice be rendered *the son*, he shall be paid two-thirds of *the fine for* every crime committed against him, *i.e.* while he is with him (*the foster father*); and the third of *the fine* for each crime committed against him after leaving him.³

³ *After leaving him.* When the foster son left the house of his foster father he was then under the care of his own father, and, therefore, the foster father could not be sued for his crimes; but the foster father had still two claims upon him, namely, he was entitled to one-third of all the fines, the first fine obtained for the first injury done him, and he had a claim to be supported by him in his old age, should he lose his own children. His own eldest son, legitimately begotten on the body of his first wife, was the first who was obliged to maintain him; next, after him (in case of death or other accidents), his other legitimate sons, according to their respective ages; and next his foster children, according to the order in which he fostered them, and the rank and affluence of each. But these particulars are not specified.

FOSTER-
AGE.

1nóleap cach iarpraid cío mo dono in ainim facadur
co trian.

.1. coirpóire ansoit runo o aiti, ocuḡ cuḡnuma ina coirpóire
comruiti, do rmaét; no da trian in iarpraid ma luḡa ina coirp-
óiri comruiti.

Sic.

Maó ceḡra .c. cinḡach neich eile ruachnaḡer fir in mac iḡ
ruilleó uadrum, ḡurup coirpóiri ansoit. Maó leḡ oire no
lan oire, iḡ tobach nama óleḡur don aiti, ocuḡ in rmaét uad
beoḡ, ut uiaimur, .i. ma ro aill no oireim, no loch forceḡt,
ocuḡ muḡaḡḡer, iḡ leḡ coirpóiri inḡiti, ocuḡ in iarpraid uile.
Munup atmuḡaḡḡe, iḡ leḡ coirpóiri inḡiti, rēcipeḡ coirpóiri,
ocuḡ bec don iarpraid maó bec in ruacḡu. Cío mo ino ruacḡu
ina da trian, nī tēt tar da trian iarprata, uair iḡ ainm, ocuḡ
trian don aiti

Leḡ ruach foru aiti ocuḡ foru muime cacha cneó rēruir
bera ocuḡ rēaḡa for in dalta, ocuḡ oiremennab ruir ocuḡ
aor biḡbunur, co fir a biḡbunur; ocuḡ cuḡnumur coirpóiri na
cneíde comruiti don iarpraid oḡaḡbal, co ró da trian na
iarprata ar rmaét, ocuḡ o ro ru nocha tēit taruir.

lan ruach for in uime comaitēch oaro herba a doimeḡ re
ne naenuire, ocuḡ iḡ ru ro roḡlao anoirin, ocuḡ oamad e ro
roḡlui amach, ci uime comaithech ḡabur do laim beḡ ro
cinḡab, co fir a biḡbince, no cío aiti no muime, iḡ tuioéḡ oib
ro lan in eccoḡnuḡ.

Cach cneó oib rin rēruirther air tria rail umcoimeḡa in
aiti, leḡ ruach ano for aiti, ocuḡ cuḡnumur coirpóiri na cneíde
comad e don iarpraid oḡaḡbal, co ro da trian na iarprata, ar
rmaét, ocuḡ o ro ru noḡo tēt taruir; ocuḡ ḡe no taruirtea lan

¹ — Text defective here.

² *Full fine.* In the margin of the MS. the words 'ḡreḡ uul' third book, occur here.

³ *Outside*, i.e. hurt any body outside the land belonging to him who had him in charge.

Unlawful is every fosterage-fee, if the blemish left be greater —¹ to a third. FOSTER-
AGE.
—

That is, body-fine for inadvertency is here *paid* by the foster father, and as much more for 'smacht'-fine, if it be body-fine for *the crime of intention*; or two-thirds of the fosterage-fee if it be less than body-fine for intention.

If it be the wicked cattle of another person that attack the son, he (*i.e. the foster father*) shall pay additional, until it amounts to body-fine for inadvertence. If it be half 'dire'-fine, or full 'dire'-fine, the foster father is bound only to collect it, but he must pay the 'smacht'-fine also, as we have said, *i.e.* if the son went to climb a precipice, or swim in a lake, and that he was lost, (*i.e. killed*), it is half body-fine that shall be *paid* for it, and all the fosterage-fee. If he has not been lost, there is half body-fine to be paid for it, whatever that body-fine may be, and a small portion of the fosterage-fee if the attack was slight. If the '*eric*'-fine for the attack is more than two-thirds of the fosterage-fee, it shall not exceed two-thirds of the fosterage-fee, for it is a blemish, and one-third *is* for the foster father.

Half fine *is imposed* upon his foster father and foster mother for every wound which spikes and spears shall inflict upon the foster child, or for the attacks of wicked beasts or enemies, if their enmity be known; and as much more of the fosterage fee as the body-fine for the intentional wound, shall be got for 'smacht'-fine until it amounts to two-thirds of the fosterage fee, but when it reaches this it shall not go beyond it.

Full fine² *is imposed* upon the neighbouring man who was told to mind him (*the child*), for one hour, if injury was inflicted on him during that time, and if he (*the foster child*), committed any injury outside,³ whether it be a neighbouring person who has undertaken to be responsible for his crimes, with knowledge of his delinquency, or his foster father or his foster mother, such person shall become subject to the full fine *incurred* by the child.

For every wound of those *already referred to*, which shall be inflicted through the negligent keeping of the foster father, half-fine shall be paid by the foster father, and as much more as the body-fine for the wound, shall be obtained as 'smacht'-fine out of the fosterage-fee, until it amount to two-thirds of the fosterage-fee, but when it has come up to this amount it does not go beyond it; and



though full fine be recovered from *the owners* of wicked beasts, and from enemies, no comparison of equality is to be instituted between him (*the neighbour*) and the foster father and foster mother, for wherever there is one who is more closely connected,¹ who is committing trespass against any *foster child*, and one who is not so connected, there is no comparison of equality to be instituted between them.

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AGE.

And the third of these fines is *due* to the fosterer.

That is, the third of the body-fine for the first wound which shall be inflicted upon him *is due to his foster father*. If the foster father had paid for his crime before the completion of the fosterage, and that he is attacked afterwards when not under the care of the foster father,^a the third of the fines *payable on the occasion is due* ^{a Ir. outside.} to the foster father.

If he were attacked while *living* with the foster father, the one-third of the fines is due to the foster father, even though he has not paid for his crime, i.e. his first crime, so as he has paid for his first crime, if he is with him when he is assaulted. If he has been assaulted after his fosterage has ended, his foster father shall not obtain any part of his body-fine, unless he had paid for his crime before he left him.

And it is the only case in which it is called the fosterer's third, i.e. *the third of the man who fosters*.

That is, the third of *the fine* for the first wound of intention without neglect which shall be inflicted on the foster child shall be paid to the foster father; and this is paid to him when he has performed the fosterage to its completion, and it is with him (*while the child was under his care*), the wound was inflicted on him, whether he has or has not paid for his crime. Or if he has fostered to the age of the completion of the fosterage, and it was after leaving him the wound was inflicted on him (*the child*), and he had paid for his crime, he shall obtain the one-third.

If the wound was inflicted upon him (*the child*), after leaving him (*the foster father*), even though he has completed the fosterage, if he had not paid for his crime he shall not obtain anything.

FOSTER-
AGE.

Mað ronail co aor diailtir, ocur y aice ro perad cneð fair, ce ro ic cin co ric a cinad; no ma ro ic a cinad, y iar noul uad ro fogluig rir, ocur ni ronail co aor diailtir, in tainm raiinne don ne ronailertur gurub e in tainm raiinde don triun beirir in taiti.

Cia aipet bir imcomur por macuib nalturamu ?

.1. cia pat bir ein cuimriuad curta por na macuib do nither dalturam? Al tri tomaitim cinuð in mic cin a denim, ina cet cinad. Al curad y in cet air, ocur a beð gan biað, la curet, y in air tanuir; ocur aithgin y in air deidenuig, o da bliadain dec amach. Ocur ni fecur deðbir iair a ropad ocur a gait co da bliadain dec. Y in cuicad cin ro raið lan tair fair y in air tuirig, ocur y in cethrumad cin y in air meðonuið, ocur y in air tair cin y in aoir deidenuig, ma ropad ma gait y in daira cin.

Sic.

In tan do ni aon cin no da cin y in aoir tuirig, aithgin fair y in air meðonuið; leð tair fair iar rin, cid y in air meðonuið no deidenuig, ma ropad.

Y lan tair fair imurro ma gait y in air deidenuig, iar nic aithgina ar tur tair ropad. In tan na dein cin iair co nsein y in air deidenuig, aithgin fair mað ropad, ocur y leð tair fair mað gait; no y aithgin ina gait, uair ni roic tair, ocur y tuirichu do aithgin sic.

Aithgin o ruiru co cenð recht mbliadun ndec.

.1. cet cin innir in y in air rin. Munub cet cin, y leð tair la aithgin y in air rin. Mað iar peð mbliadna dec, y lan

¹ First age. One to seven years, first age; seven to twelve years, middle age; twelve to seventeen years, last age.

If he has fostered till the age when the fosterage determines, and *the foster son* was with him *when* the wound was inflicted upon him, whether he had or had not paid for his crime; or if he (*the foster father*) had paid for his crime, and it was after leaving him the injury was done to *the child*, and he had not fostered till the age when the fosterage determines, the foster father shall obtain such a proportion of the third of *the fine* as the time during which he has fostered bears to the whole term of the fosterage.

FOSTER-
AGE.

How long is there power over foster sons?

That is, how long is the power of castigation allowed over the sons who are being fostered? Three threatenings of the son for his crime, without putting them into execution, for his first crime. He is to be castigated in the first age;¹ and he shall be without food, with castigation, in the second age; and restitution *shall be made* during the last age, from twelve years out. And no difference is observed between their assault and their larceny until *they reach* twelve years. For the fifth crime full 'dire'-fine shall be inflicted on him in the first age, and for the fourth crime in the middle age, and for the third crime in the last age, and for the second crime if it be assault or larceny.

When he has committed one crime or two crimes in the first age, he shall make restitution in the middle age; half 'dire'-fine shall afterwards lie against him, whether *committed* in the middle age or in the last age, if *he has committed* assault.

It is full 'dire'-fine, however, that *shall lie* against him if *he has committed* theft in the last age, after having first made restitution for assault. When he has committed no crime at all until he does so in the last age (*i.e. twelve to seventeen*), he shall be liable to restitution for assault and to half 'dire'-fine for theft; or to restitution for his theft, for 'dire'-fine does not reach him, and he makes restitution sooner.

Restitution from that time to the end of seventeen years.²

That is, this is *the penalty* in the case of the first crime in that age. If it be not the first crime, half 'dire'-fine with restitution *shall be*

¹ Years. In margin here *cuparō*, chastisement, is glossed *επορεαρό*, fasting.

FOSTER-
AGE.

ῥιαχ ῥαιρ cíd é α cín ina cet cína, .1. cín tanuiri iar ῥéct mbliadna ocuf ir cuma ocuf in tῥep cín co ῥéct mbliadna, S. D. .1. 1ῥ é aῖpet ir ecoḡnach in mac, ocuf 1ῥ é ῥe in alṡummu, ocuf ir coniciata in aῖr deṡimach. Ocuf tochaṡim aῖr co tomaṡthum aon cinuṡ in ḡach aῖr ḡan α nḡenuṡ ῥuṡ ar tῥi haṡraib ῥin ῥo ῥaṡṡum do na macaib becaib; ocuf 1ῥ ar ῥin 1ῥ ῥollur o icait mic beca aṡḡin, no o tiucῥur aoir íca aṡḡina doib, co na teit aoir 1 n-aῖruṡ cínad do ḡῥep.

Maḡ eῖῥu inḡ aṡḡin iar tῥep cinuḡ, leṡh tṡu co cenn ῥecht mbliadan nḡec.

.1. maḡia naṡῥuḡ no maḡia naṡḡe cín do denuṡ 1ῥ in aῖr meḡonuḡ, α haṡḡli cinuṡ na cet aῖr, aṡḡin aῖr, maḡ aṡḡin aῖr 1ῥ in tῥep cinuṡ do ní, no 1ῥ in cinuṡ do ní 1ῥ in aῖr deṡimnaḡ, uair 1ῥ é in tῥep cín do é, ocuf aon cinuṡ do ῥuḡne in caḡ aῖr do na tῥi hoṡuṡ ῥin, ocuf in cet aῖr tṡib ar ῥon curta, uair tochaṡthum aῖr co tomaṡthum aon cinuṡ in ḡach aῖr cona denuṡ, uṡ ann ῥin; ocuf ῥobach do ῥuḡne ῥe 1ῥ in aoir deṡimnaḡ anḡ ῥin, uair da maḡ ḡait, ῥobu lan ῥiaḡ, .1. cet cín anḡ ῥin 1ῥ in aoir; munuḡ cet cín, 1ῥ leḡ tṡu la haṡḡin 1ῥ in aoir cetna.

Maḡ iar ῥéct mbliadna ḡec, 1ῥ lan ῥiach ῥαιρ cíd é α cet cín; aṡḡin iarῥin da bliaduṡ ḡec ina cet cinuṡ, cíd be cín maḡ é α cet. Maḡ é ala cín 1ῥ leṡh ina nḡuin; lan ῥiach 1ῥ in maḡa ῥin; aṡḡin o tḡa iní adā ῥin, o tḡa in da bliadna ḡec in α cet cinuṡ co ῥuice ῥéct mbliadna ḡec, uair 1ῥ in aῖr deṡenach; ocuf tochaṡthum aῖr, co tomaṡthum cinuṡ in caḡ aῖr, cín α nḡenuṡ uṡe ar na tṡu haṡuṡ ῥin ῥo ῥaṡṡum, do na macuṡ beca; ocuf 1ῥ ar ῥin 1ῥ ῥollur o icῥuit mic beca aṡḡin, no o tiucῥur aṡ íca aṡḡina doib, co na teit aῖr α naῖruṡ cinuḡ doib do ḡῥep.

¹ *The third crime.* Immediately after the corresponding words in the MS. there is an interlined gloss .1. 'iarṡ deṡe' i.e. after the second.

against him in that age. If above the age of seventeen years, full fine shall be *imposed* upon him, whether it be the first crime or not, i.e. the second crime after seven years is equal to the third crime before seven years.—S.D. That is, it is the time, (*i.e. seventeen years*), during which the son is an infant, and it is the limit of the foster-age, and, *consequently*, the last age of the *fosterage* extends to it. And in passing through the three ages which we have mentioned the little boys were threatened for their first crime in each age, without putting *the threats* into execution; and from this it is evident that as soon as little boys pay restitution, or when their age of paying restitution has arrived, age is not taken into consideration at all with respect to crimes.

FOSTER-
AGE.

If he (*the foster-son*) pay restitution after the third crime, *he is liable* to half 'dire'-fine to the end of seventeen years.

That is, if he happen to commit crime in the middle age, after the crime of the first age, there is restitution *due* from him, if restitution be *due* from him for the third crime¹ which he commits, or for the crime which he commits in the last age, for it is the third crime to him, and *in this case* he had committed one crime in each of these three ages, and the first age was liable to castigation, for *the rule that*, "in passing through *their* age they are threatened for first crime in each age without executing the threats," holds good here; and it was assault he committed in the last age in this case; for if it was theft, there would be full fine *incurred*, i.e. this was the first crime in *that* age; for if it be not the first crime, half 'dire'-fine is *payable* with restitution in the same age.

If it be after seventeen years *he commits crime*, he is *liable* to full fine, even though it be his first crime; restitution after twelve years is *due* for his first crime, whatever crime it may be, if it be his first. If it be his second crime there is half *fine incurred* for wounding; full fine in this case; restitution from that case out, from twelve years for the first crime until seventeen years, for it is the last age; and in the passing through *their* age there is threatening of *punishment*, &c., for the crime in every age without putting it all into execution in the three ages which we have mentioned, upon the little boys; and from this it is evident that after the little boys pay restitution, or after they come to the age of paying restitution, age does not ever affect their crimes.

FOSTER-
AGE.

Μαο λα υπραο nupchonn po fich.

.1. μαοια ποκαρτυρ α βιχβινε το ιρε ικυρ α εινυο υιλι, ιτιρ
 υιρι οκυρ αιτηγιν. Munu ποκαρτυρ, ιρ αιτηγιν nama οιτηιρ no
 ικυρ; οκυρ λαν ριαχ πορ in ουιue comaitheo oap hepbao α
 coimeo pe pe naonuairu, 7pλ., .1. in tan teit in mac λα υπραο
 ιρε ικυρ α ειντα, diambe ποναοm, οκυρ ni βιχβιnach. Munu
 be ποναοm ιρ leo ικυρ. Diambe ποναοm, οκυρ ιρ βιχβιnac,
 οκυρ ποκαραρ α βιχβινce, ιρ ic α εινυο υιλι oφip λαιρι teit.
 Munu ποκαρτυρ, οκυρ biο ποναοm, ιρ puiunn in εινυο euyru.
 Munu ποκαρτυρ, οκυρ ni bi ποναοm, ιρ α cin tall υιλι; no
 dono ιρ α cin πορ pηp λαιρι teit inunn olcena. Dia ποκαρτυρ,
 οκυρ ni bi ποναοm, ιρ puiunn in εινυο i ne euyru beop.

Sic.

[8] Et gereta cach meic, 7pλ.

.1. λογ anech (no λογ α nenech) oc α ταρβenaο δια μυινοτιρ
 ιαρ νοιαιτιρ, οκυρ lo α nettiγ, pηp tuar. In cuipuma o
 petyib o bepari on αιτι don mac puiunn ap α γαιρι o denun ac
 teeo uaο. Seoit γαιριτεeta po o bepari o na macaib ιαρ naoip
 διαιτιρ, ap in ηγαιρι o denun, οκυρ lo na γαιρι pe taoo pin;
 οκυρ ιρ ανλυο oleguρ oib α denun amuil o nitiγ γαιρι α mathar
 no α nathar; οκυρ munu oepnat, ata pmaeo nemdenun na
 γαιρι uaou. Ocyρ ma epaoach ni don ιapruo, in tainn
 puiunne ιρ epaoao o i γupube in tainn puiunne pin byp
 epaoach o na petyib γαιριτεeta. Ocyρ munu tucap peoit
 γαιριτεeta oib, nocho ninoligee oibpuiun gin gu noepnat in
 γαιρι no co tucap oib ιat. Ocyρ ιρ ann ata na peoit

¹ Or their honor-price. The Irish for this occurs as an interlined gloss in the MS.

If it be with (*i.e. in the care of*) a distinguished native he has done injury. FOSTER-
AGE.

That is, if his delinquency has been made known to him it is he (*the native*) shall pay for all his crimes, both 'dire'-fine and restitution. If it has not been made known, he shall pay restitution only; and the neighbouring man who was ordered to mind *the child* for one hour is subject to full fine, &c., *i.e.* when a son goes with a native it is he (*the native*) who shall pay for his crimes, if there be an agreement *to that effect*, and he (*the child*) is not ill-conducted. If there be no agreement he shall pay one-half. If there be agreement, and the boy is ill-conducted, and his misconduct has been proclaimed, all his crimes shall be paid for by the man with whom he goes. If it be not proclaimed, and there was agreement, the *payment for the crime* shall be divided between them. If it be not proclaimed, and there is no agreement, *all the payment for his crimes* shall be upon the foster father;^a or else his ^a *Ir. within.* crime shall be upon the man with whom he went, similarly in general. If it be proclaimed, and there is no agreement, *the fine for the crime he commits* is also to be divided in two between them.

The *foster father's* parting gift of every son, &c.

That is, the honor-price, (or their honor-price,¹) in the showing of them to their people after the completion of the fosterage, and the price of their raiment, is above *referred to*. The '*séd gertha*' is the quantity of '*séds*' which is given by the foster father to the son on his leaving him, with a view to his (*the foster father's*) *future maintenance*. These are '*séds*' of lawful maintenance which are given to the sons at the age when the fosterage determines, *as earnest of the claim for future maintenance by the foster father*, and the price of the maintenance is given besides; and the manner in which they (*the foster sons*) are bound to do it is in the same manner as they would maintain their *own* fathers or their mothers; and if they do not, they shall pay '*smacht*'-fine for non-performance of the maintenance. And if any part of the fosterage-fee was defective, the proportion of it which is defective is the proportion of the '*séds*' of lawful maintenance which shall be wanting. And if the '*séds*' of lawful maintenance be not given to them (*the foster sons*), it is not unlawful for them not to perform the maintenance until they are given to them. And the '*séds*' of lawful maintenance are complete when the foster father has fostered

FOSTER-
AGE.

ḡairíteḡta co comlan in tan ro aileitir in taiti co air diaileitir, ocuḡ tuc iarriuró do reir dligiḡ ann. Mar eḡbaḡaḡ ní don iarriuró, in tainm ruinne buḡ eḡbaḡaḡ de ḡurube in tainm ruinne rin buḡ eḡbaḡaḡ do na ḡetaib ḡairíteḡta; ocuḡ ní luḡaiti dligḡer in ḡairi do denam, nochu nindligḡech doibḡriam ḡin ḡu deḡnuir in ḡairi no co tucari doib iat.

Sic.

Catiaḡ reit ḡairíteḡta na mac ro? Nin. 'Da ḡcḡipall dec reit ḡairíteḡta mic boairech; inann oḡa ḡer mioduḡó co ruici boairi. Uinḡi airḡit ḡét ḡairíteḡta (no ḡiaḡta), caḡ mic oḡa airḡe itir da airi co ruici airi ḡoḡḡill, inann oḡa airi ḡoḡḡill co ruici mac ruḡ. Tri leḡ nuinḡi airḡit reit ḡeaḡta mic ruḡ. Inunn imbí mac ḡa inḡin.

Catiao aimḡira ḡoḡa? Nin. 'A cinn a ceitḡe mbliadān dec do inḡin, a cinn ḡéḡ mbliadān dec do mac. Cennoḡtha aimḡir diaileitir, atait da aimḡir diaileitir cennu, aimḡir eca, ocuḡ aimḡir beḡ ḡoḡla cetamur, ocuḡ aimḡir a cet cin, ocuḡ tatḡcoḡ. Cia dilerium lan iarriuró, moaitḡer a ḡolair ḡur. Cia hinḡilerium lan, munā ḡaḡbaithḡer a ḡolair, tatḡcoḡ aḡcoḡ alḡrama. Munu tatḡcoḡrḡur iarriuró ir ann ḡaiḡit combio ḡaḡ. Mara luḡa in talḡuma tucāḡ air, ḡrl.

Inḡler cach niaḡriaiḡ, ḡrl.

.1. leḡ ḡiach ḡaḡa cneitḡe ḡeḡruir beḡa ocuḡ ḡleaḡa, cip ocuḡ clocha, ocuḡ doḡera ocuḡ aḡ biḡbunnuir ar in ḡalta, oic da aite, ocuḡ cutḡumur coirḡoiri na cneitḡe co na ḡeaḡtān tḡe comḡuiti ro ḡeaḡáḡ ar in ḡalta, don iarriuró, no co ro da tḡian ar ḡmaḡt, ocuḡ o ro ḡia noḡa tét tairir. Ocuḡ cia ḡarriuró in lan rin amuḡ do ḡoḡuib ocuḡ do aḡ biḡbunnuir, noḡo ḡruil atḡḡeaḡ cuibḡra eturru ocuḡ aiti ocuḡ muime, ḡrl.

¹ If the fosterage-fee was defective, the 'seds' of lawful maintenance shall be defective in the same proportion.

² *An ounce.* Sic. in original.

³ *Foster-mother, &c. Vide p. 183, supra, where this passage is given more fully.*

to the age at which the fosterage determines, and had received fosterage-fee¹ for it according to law. If any part of the fosterage-fee was defective, the proportion in which it was defective is the proportion in which the 'seds' of lawful maintenance shall be defective; and they (*the foster-sons*) are not the less bound to perform the maintenance *in consequence of this proportionate deficiency in the 'seds' of lawful maintenance*, and it is not unlawful for them not to perform the maintenance until they are given to them.

What are these 'seds' of lawful maintenance of the sons? Answer. Twelve 'screpalls' are *the value* of the 'seds' of lawful maintenance of the son of a 'bo-aire'-chief; they are the same from the humblest man to the 'bo-aire'-chief. An ounce² of silver is *the value* of the 'seds' of lawful maintenance of every son, from the 'aire-istir-da-aire'-chief up to the 'airi-forgill'-chief, and the same from the 'airi-forgill'-chief up to the son of a king. Three half-ounces of silver are the 'seds' of lawful maintenance of the son of a king. It is the same for the son as for the daughter.

What are the periods of selection? Answer. At the end of fourteen years for the daughter, *and* at the end of seventeen years for the son. Besides the *usual* periods at which the fosterage determines, there are two other periods at which it determines also, *namely*, the time of death and time of trespass at first, and the time of the first crime and the returning. Though he (*the foster father*) forfeits the full fosterage-fee, his property is not decreased by it. Though the full *fosterage-fee* is not forfeited, unless his property can be found he must return the foster child *to his father*. If he does not return the fosterage-fee he is then sued for payment. If the fosterage he has performed is less, &c.

Every fosterage-fee is unlawful, &c.

That is, half the fine for every wound inflicted by spikes and spears, by sticks and stones, by bondmen and enemies, upon the foster child, is to be paid by his foster father, and as much more of the fosterage-fee as *the amount* of the body-fine for the wound which was inflicted with intention upon the foster child, until it amounts to two-thirds, shall be paid as 'smacht'-fine, and when it comes up to this it shall not go beyond it. And though this full *amount* be recovered in the case of wicked beasts and enemies, no comparison of equality can be instituted between them and the foster father and the foster mother,³ &c.

‘SAER’-
STOCK
TENURE.

Καιν τραορρατῆ εἶδ ἀρα νεῖπεναρ? Για μεαρομ
το καῖν τραορρατῆ? Manchuiue ocuy υπειρηζε.

.1. ριαξαιλ ἰν ρατῆα ραιρ ἱρ το ατα αιρηειρ ριραναι, .1. cen zellad, acē
ρυιρτιυδ nama. Cιo ἀρα νεῖπεναρ, .1. εἶδ ἀρ α ραιδότερ no ἀρα
ναιρηειότερ ἰν ρατῆ ραορ. Για μεαρομ, .1. καῖοι ἰnnί ἱρ μερα τον
εἶλε το αταβυρ ἰν ρατῆ ραερ? Σαορρατῆ βοαιρεch, τοορα βα, ocuy
τοορα βαῖ α ρομυῖνε ἰ εἰno τρι mβλιαδoν, ocuy τοῖα nel ἰmpu uil, ιε το
βα dec ἱαρ nelod, ocuy ρε βα dec ocuy dech ρερῖρῖλλ ocuy το ρηgmo, lo
α λαδα cona ρυλλῖυῖ, ἰ εἰnn τοορα mβλιαδoν ἱαρ nelod. Manchuiue, .1.
ρερ καδα ροῖμυῖνε, το denutῖ α τουῖνε, no α μειτῖλε, .1. an tun, no ἀρλυαιgeδ
λαρ, ocuy nί ρεgτῖρ ρρῖρ τυρελῖυοε ἰm manchuiue. Ocuy υπειρηζε,
.1. ρερ καδα ροῖμυῖνε zach τρερ βλιαδoν το gpep τον ρλατῆ, .1. comeρηze
το denutῖ ἰme cein beit α ρυῖοῖα, .1. α τρι α naon lo apu εἰnn, ocuy cin co
τορῖαρτυρ nochan ρυῖλ acē διαβῖυδ comeρηze, ocuy το μαο αιλ λῖρ.

Καιτε ρομυῖνε cach ρεοιτ ο bic co μορ ἱρραορρατῆυῖb?
Α τριαν cach ροιτ ἱρρῖ α ρομυῖνι co cenn mβλιαδoν.

Καιτε ρομυῖνε, .1. καιτε ἰν ρομυῖνε βιατα ocuy mancuine οῖλῖτερ
λα caē ρετ ο bec ἰν ραδα co μορ ἰν ραδα ἱρ na ρετα ραορ. ἱρραορ-
ρατῆυῖb, .1. nochun αρ ραιρε na hicta (no nochun αιρε, .1. τομαῖτῖυῖn
λερ, .1. α λῖno ocuy α mβιαd), cachά βλιαδoν, acē co ροαρ cuit καδα
βλιαδoν, ρρῖ τεctῖυῖρἰn ἰmρcαιρ, .1. no α ριαξαιλ ρρῖρ τεctῖυῖρἰn ἰn ετυρ-
ρcαιρεα ocuy ἱαρρῖnι comicēa amῖυῖd, .1. cετρῖmῖυρ α τριn καδα βλιαδoν
ἱρῖ α ρομυῖνε, ρε ρρερceρἰn ἰmρcαιρ, no cετρῖmῖυρ τριn ἰn ρατῆα υαδo
ρορβαδ na cēt βλιαδoν, hι λῖno ocuy α mβῖυd, μαρ ano το ραλα ἰmρcαιρ.

Αῖρ τοορα mβλιαδoν τορῖ ρετ α muin αραιλε.

THE 'CAIN'-LAW OF 'SAER'-STOCK TENURE BEGINS DOWN HERE.

'CAIN'-LAW of 'saer'-stock tenure—why so called? What is the worst of the law of 'saer'-stock tenure? Manual labour and full homage.

'SAER'-
STOCK
TENURE.

The 'Cain'-law of 'saer'-stock tenure, i.e. the rule of the 'saer'-stock tenure is that of which we treat down here, i.e. without any pledge, but acknowledgment only. Why so called? i.e. why is it called or denominated the 'saer'-stock tenure? What is the worst? i.e. what is the worst thing for the tenant to whom the 'saer'-stock tenure is granted? The 'saer'-stock of the 'bo-aire'-chief, i.e. three cows, and three cows are the return at the end of three years, and should he (*the tenant*) abscond with them all, there shall be twelve cows *paid* after absconding, and sixteen cows and ten 'screpalls' and ten 'pinginns,' the price of their milk, with its addition, at the end of three years after absconding. Manual labour, i.e. a man *must go to the chief as part of* every return *at the time of* the erection of his 'dun'-fort, or of the reaping of his harvest, i.e. *he must help to build* the 'dun'-fort, or *he must go on* a military expedition with him, and he (*the chief*) does not contemplate any return in manual labour. And full homage, i.e. a man *is always given* to the chief with every return *that is paid* every third year, i.e. to do homage while he is sitting, i.e. *to make three homages* to him on every day, and if these be not made there is only double homage due, if he pleases.

What are the returns of each 'sed' from small to great in 'saer'-stock tenure? The third of every 'sed' is the return at the end of a year.

What are the returns? i.e. what are the returns of food and work due for every 'sed' from the small to the large stock in the free 'seds?' In 'saer'-stock tenure, i.e. there is no choice *with the tenant* as to the payment (or it is not so called because he (*the chief*) forgives it, i.e. the ale and the food), every year, but *it is the rule* that some should be obtained every year, with the alternative of separation, i.e. *in consequence* of the rule for the alternative of their separation and because it is so paid, i.e. as much as one-third every year is the return, if there be an expectation of separation, or a proportion equal to one-third of the stock is to be paid by him (*the tenant*) at the end of the first year, in ale and food, if they then happen to separate.

In three years he (*the chief*) is entitled to a 'sed' in addition to that already given.

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.1. ar teopa bliadna tuilleter no ariallnitheir pet a cutruma pen lair a muin araile ar in uile etaró, .i. diabluó aithgina a reoit muna friéprognuitheir co rin anall, .i. cutruma a racha do dia tri bliadna; ocuf ni cumuings biaó do cumngió rimeó, acé muna cumngiú a rath, .i. cutrumuif triin in racha, i llinó ocuf a mbuó ir in tper bliadain, ir é in pet atbeir funn.

Ar ocuf lor ocuf gearr iarfuioiu co cenó teopa mbliadain, iarpmota pecht mbliadna, muine aribiaatar cuice in tuilleó, acht aithgin cu diabul; ar ni inóuth neó dia raile iarpmoth pecht mbliadna, ar ir iubaile aittien fairu in rain. Oileigthuif romain a pet, acht aithgin.

Sic.

Ar ocuf lor, .i. in porbairt no lor, .i. na laos, .i. na colna, .i. in tuar, .i. munur umal in ceile ir ann tét fairpium on, .i. lairín leégabail diabailta, ocuf a bunao por fuilleó in bió, maó mó lair ina diabluó po cetoir. Eioó elaitheir plaiti funn i mbiaó co cenn tri mbliadain, ocuf ni elaitheir in aithgin in bió. In biaó iarum por fuilleó, ocuf lor ocuf gearr co cenn tri mbliadain, lairinni ina elaitheir. Iarfuioiu co cenó teopa mbliadain, .i. iarpa ni aóirín, .i. in tan bir por elóó ro, .i. ar na tri bliadna deoinacha, .i. fuilleó cona fuilium anoir iar tri bliadna .i. mun éruit .iii. Ite peét mbliadna ramliuó cum pprimo annoó, .i. mun éruit co peét mbliadna, .i. irin peétmáó bliadain. mbliadna .i. muna deirnar in tuaral biathao conuici. .i. maó ann acartar, beiró biaó na tri cet mbliadain ocuf biaó na bliadna i nacair; no dono ir biaó na peét mbliadain beirir ocuf biaó na bliadna a nacair beor, .i. in bunao ocuf a coibeir lair, friénatí na tri mbliadain tairpech ro leic a fail, ocuf plaiti polliuigtheir ir upraó, ocuf friénatí na bliadna a cumngé, no in peétmáó bliadain, .i. diablaó naithgina, no ir aithgin ocuf diablaó olegur ann; fneeria do lor, ocuf orar, ocuf do gearr, ocuf aithgin in raá ocuf diablaó, ocuf cuic na bliadna ina cumngier, .i. biaó na bliadna i neturpcairait, maó olegur e ma. Ar ni inóuth neó dia raile, .i. ar noóo tabuir neó in lor ra ceili iarum a haithle na peét mbliadain, no co bi nech ir ceile romun eliter elóó ar in

That is, in three years is deserved or merited by him a 'sed' of its own value in addition to the other for the entirety, i.e. double the restitution of his 'sed,' unless any return has been made up to that time, i.e. a quantity equal to his stock *originally given* is to be returned to him (*the chief*) after three years; and he (*the chief*) cannot demand food previously, unless he demands his stock, i.e. a proportion equal *in value* to one-third of the stock, in ale and food in the third year, is the 'sed' here mentioned.

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The growth and increase and milk afterwards to the end of three years, and until the end of seven years, unless the addition be paid to him, except restitution with double; for no one pays increase to another after seven years, for that is the period of *the obligation* arising from the receipt of 'saer-stock.' The return of his 'sed' is forfeited, except the restitution.

The growth and increase, i.e. the addition or the increase, i.e. the calves, i.e. the bodies, i.e. the manure, i.e. unless the tenant is obedient this will come upon him, i.e. with the double half-seizure, and the original stock with the addition of the food, if it be greater to him than the double at once. The chief may be evaded here as to the food *due* to the end of the three years, but he may not be evaded as to the restitution of the food. The food shall afterwards *in case of evasion* be at interest, and increase and milk, to the end of three years, *shall be added* to the thing respecting which the evasion was made. Afterwards to the end of three years, i.e. after that time, i.e. this is when he (*the tenant*) has absconded, i.e. during the last three years, i.e. interest with the interest of both during the *other* three years, i.e. unless they pay three years. These are seven years including the first year, i.e. unless they pay for seven years, i.e. in the seventh year. Years, i.e. unless the noble food has been rendered until then, i.e. if it be in this year it is demanded, he (*the chief*) shall obtain the food of the three first years and the food of the year in which it is demanded; or else he obtains the food of the seven years and the food of the year in which he demands it besides, i.e. the original stock and as much more in addition, and the services of the three first years which were neglected *are to be rendered*, the chief who was neglected being a native, together with the service of the year in which *payment* is demanded, or the seventh year, i.e. double restitution, or restitution and double, are then due; and *the tenant* is to answer for the increase, the growth, and the milk, and for restitution of the stock and double, together with the portion *due* for the year in which they are demanded, i.e. the food of the year in which they separate, if it be due. For no one pays increase to another, i.e. for no one gives the increase to the other after the term of seven years, until the tenant who is sued for the absconding is

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uiletaíoe, cona diablaó uao áet aithgin. Secht mbliathna, .i. ar
iḡ ae ro aíl, .i. iubaile tpaopraáa inn ro. Aititén rairi, .i. ar iḡ
uilmuine ta paop ann rin tuilleó aicicín doḡum, conuileḡann
romuine a pet. Acht aithgin, .i. aithgin in neich ro peḡurur
copuici rin; ocuḡ camao apao ocuḡ tpaopaó do ḡuiter, do beirir cuic
peoit, ocuḡ eneclunn, ocuḡ diablaó piach do, ar aḡe ne n-iubaíli;
ar in paep in ceili dia roibe in aiten cin aḡra, muna leicḡur a eloó,
mao ruḡnepet imḡara neime rin.

Cach ní oib rin ro peḡurur pia napao ocuḡ pia tpaopaó, iḡ
a diablaó do peḡ ann iap napao ocuḡ iap tpaopaó. Caé ní oib
rin ro peḡurur iap napao ocuḡ tpaopaó iḡ ceḡt aithgin oic
ann.

Ipeó iḡ aithgin ann aḡur, in paḡ pein ocuḡ in cet biaó
ro peḡ rin. Trian loḡ einech ar aḡuicín in tpaopraáa, ocuḡ
lan loḡ einech in paḡh, ocuḡ iḡpeó oḡeḡur cuḡumur a tpin
leir caá bliathna do biuó, ne ppeiricín imḡair, con a cinn tri
mbliathan ro roich a cuḡumu leir; ocuḡ cin co tuḡur ní ano
icir cu cenó tri mbliathan, áet co toru ní ano rin a cuḡuma,
nochoḡ fúil ní ann munu leicḡer eloó ime, ocuḡ oá leicḡer,
iḡ diablaó cach neic uma leicḡer eloó. Munu toru ní ann
icir i cinn tri mbliathan, fúilleó beo uilri do ruḡh rin in paḡh o
rin amach, uair iḡ ar fúiriuuó beo uilri aḡar o rein.

Oá fúilleó rin in cet fúilleó, ocuḡ fúilleó rin in tanuiri ocuḡ
in tpeḡ fúilleó, can ní, ocuḡ fúilleó fúilluín in fúilleoá; oá
fúilleó rin in cet fúilleó in fúilleó peithur ar in cet bliathan.
Fúilleó do peḡ leiríde ar in mbliathan meóonuḡ, ocuḡ fúilleó
ar in mbliathan noeróinaḡ. Fúilleó rin in tanuiri in fúilleó
peḡur ar in mbliathan tanuiri; fúilleó do peḡ leiríde ar in
mbliathan noeróinuḡ, ocuḡ in tpeḡ fúilleó ḡan ní fúilleó na
bliathna oeróinuḡ. Fúilleó fúilleoá in fúilleoá in fúilleó
peḡur rin in mbliathan ar in cet bleoúin. Fúilleó do peith ne
fúilleó ríde ar in mbliathan meóonuḡ, ocuḡ fúilleó do peith
ne fúilleó ríde ar in mbleoúin oeróinuḡ.

Aḡ, ocuḡ loḡ, ocuḡ ḡeḡt do peit ne coluinn in paḡha ne ne na

¹ *Growth*, 'as,' i.e. of flesh, &c.; increase, 'los,' the multiplication of the young.

amenable for the entirety, he renders not double but restitution. Seven years, i.e. this is the legal period of the 'saer'-stock tenure. *Obligation* arising from the receipt of 'saer'-stock, i.e. for this is free forgiveness for additional receipt of *stock* from him (*the chief*), so that he forfeits the return of his 'seds.' Except the restitution, i.e. restitution of what has accumulated up to that time; and if notice had been served and fasting performed, there would be five 'seds,' and honor-price, and double the debt *due* to him, for it is within the legal period; for the tenant is free if there had been acknowledgment without demanding, unless he (*the tenant*) had absconded, if they had separated previously.

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As regards every thing of these which became due before notice and fasting, its double shall be due after notice and fasting. For every thing of these which was due after notice and fasting legal restitution is to be paid.

Restitution means, first, the stock itself and the first food that became due with it. One-third honor-price on receiving the 'saer'-stock, and full honor-price is the stock, and it is lawful to add to it as much as one-third of the value of it in food every year, in the expectation of separation, until at the end of three years it amounts to the full; and although nothing at all may have been given *in return* for it till the end of three years, provided it be then given in full, there is no fine for it (*the delay of payment*) unless *payment* had been evaded, and if it had, the double of every thing evaded shall be *paid*. If nothing at all has been given in return at the end of three years, an interest of live cattle shall accumulate upon the stock from that out, for it is in consequence of *the stock* being live cattle that it grows *in value* from that out.

Two additions to the first addition, and one addition to the second and third additions, without any thing *being paid*, and addition to the additional addition; two additions to the first addition is the interest which accumulates in the first year. Addition shall accumulate with this in the middle year, and addition in the last year. Addition to the second is the addition which accumulates in the second year; addition shall accumulate with this in the last year, and the third addition without any thing *being paid* is the addition of the last year. Addition upon the additional addition is the addition which shall accumulate with the food in the first year. Addition shall accumulate with that addition in the middle year, and addition shall accumulate with that addition in the last year.

Growth, and increase, and milk, accumulate with the original of the stock during the term of the same three years; the growth¹

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τρι mbleóan cetha; ar na colla, ocuf lof na laos, ocuf ʒep in tuar.

Screpall ar miaflach lúluʒ ocuf ʒaui ruata co cenó mbliáda; tri ceṑrauiua rcpuruiú ar miaflach bo inolauiʒ ocuf ʒaui anruata; leṑ rcpuruiú ar miaflach cacha bo (no cacha mil) iṑ tarb tuar o rin amach; ocuf ni fuil ni iṑ mo na rin muua leiṑther elod uimri rin, ocuf ʒa leiṑter, iṑ ʒiablaṑ cach neich iua leiṑther in telod.

Ala coboduil for rath, ocuf for flaiuib, .i. flaiti na ʒliʒ achṑ im ocuf ril ocuf beo ceṑrath.

Sic.

Ala coboduil, .i. ala comṑeiliuʒ ar na flaiuib beaia na raṑa, uaiu iṑ rane enecunni cach ʒraib, .i. ʒeochari ecurru. Flaiti na ʒliʒ achṑ im, .i. in bo aipe meṑonach ro ʒabuṑṑur rath on bo aipe iṑ rcpur ann ro, .i. tri ba ceṑri rcpuruiú fichti ann, ar ceṑri miachaṑ fichti bṑacha cin cṑauiʒ, ocuf ceṑri rʒcpuruiú fichti eile ar tri maruiuib; ocuf ceṑri rcpuruiú fichti eili acaṑ iai rin, oṑ rcpuruiú ʒec ʒib ar. c mucuib beoa, ocuf tri rcpuruiú ar tri miachuiuib cṑuithnechta, ocuf tri rcpuruiú ar im; ʒuruib loʒ teoṑa mbo ann ro uili i cinṑ teoṑa mbliáda; ocuf ro beia raiṑ co triun ʒo, muua beia raiṑ raiṑ ʒeoṑauiuib aca ar tuar.

Flaiti athuiʒ na biṑ flaiti a athaiu.

.i. in flaiti athaiʒ aṑbeaṑo runn, .i. ni flaiti a athaiu na a renathaiu for in cenel rin, .i. aipe iai ʒa aipe. ʒeṑ ʒeoṑauiuib laiṑ aṑṑur raiṑu ʒo beia teoṑa bu ʒo boaipe a rath; conio aui ʒliʒiṑ loʒ a teoṑa bu i cinṑ teoṑa mbliáda, .i. teoṑa ba caṑua, ocuf ceṑri meich fichti ʒo ril bṑach, loʒ bo tṑelauiʒe, ocuf rṑ mucuib beoa, ocuf im tri rcpuruiú, co teoṑu mucuib ʒib ʒurubut riu tri tinne, loʒ bo eile, conio é loʒ teoṑa mbo níniṑ inṑrin i cinṑ teoṑa mbliáda; tri meich ʒo ril ocuf a tri ʒo cṑuaid cṑuithnechta.

In flaiti meṑonach imurro, tri bo corcaṑa ocuf raiṑ muua co raiṑ, a ceṑri ʒib for tri tinne, ocuf ceṑri meich fichti ʒo

¹ *Four.* In C. 688 the reading is ‘u’ six live pigs.

of the bodies, and the increase of the calves, and the milk of the 'tuar'-fold.

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A 'screpall' is to be paid for the dung of a milch cow and of a ploughing ox to the end of a year; three-quarters of a 'screpall' for the dung of an in-calf cow and a non-ploughing ox; half a 'screpall' for the dung of every cow (or of every animal) whose manure is valuable from that out; and there shall be no more than this unless absconding has taken place respecting them, and if it has it (*the payment*) shall be double of every thing respecting which the absconding took place.

There is a distinction of stock, and of chiefs, i.e. a chief who is entitled only to butter and seed and live cattle.

There is a distinction, i.e. there is a distinction of the chiefs who give the stock, for the honor-price of each grade is different, i.e. there is a difference between them. A chief who is entitled only to butter, i.e. the middle 'bo-aire'-chief who received stock from the highest 'bo-aire'-chief is here referred to, i.e. three cows, of twenty-four 'screpalls' value, are given for twenty-four sacks of undried malt, and twenty-four other 'screpalls' for three beeves; after which twenty-four other 'screpalls' remain to them, of which eighteen 'screpalls' are for four live pigs, and three 'screpalls' for three sacks of wheat, and three 'screpalls' for butter; all which amount to the price of three cows at the end of three years; and he shall have fine to the amount of one-third, unless he had seven 'daer'-stock tenants first.

An inferior chief whose father was not a chief.

That is, the inferior chief is here mentioned, i.e. neither his father nor his grandfather was a chief of that race, i.e. the 'aire-iter-da-aire'-chief. He should have seven 'daer'-stock tenants before he could give three cows to the 'bo-aire'-chief as stock; wherefore he is entitled to the price of his three cows at the end of three years, i.e. three fat cows, and twenty-four sacks of grain malt, the price of a cow after calving, and six live pigs, and butter to the value of three 'screpalls,' three pigs of which are worth three salted pigs, the price of another cow, all which amount to the price of three perfect cows at the end of three years; three sacks of seed and three of kiln-dried wheat.

But the middle chief gets three slaughtered cows and seven pigs with salt, of which four are worth three salted pigs, and twenty-four sacks of dried malt, and three of wheat; and though it is the

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brath cruaid, ocuf a tri cruithneéta; ocuf cio moaithe don
flaith athais romuinn, na mairt bi do tabairt do ocuf a
reichasda umru, ir ar innoligeo do bepar do iat anurlan, co
na ngarr ocuf co na ninnnglan, uair noé roibe flaith da fine
aéte a aonur.

Sic.

Olígechi in flaith reo imurro a aithair do beith ina
flaith, ocuf ailliu lair in ugoar a biaó do can inglan ina
lenmain iré uplan, cema cemaó luğa he ina tabairt ire inglan
anurlan, amair do bepar don flaith athais romuinn, ce ro
beitir a reichio umru do imarparao do.

Flaith copma ocuf rallcapna bruitehe.

Sic.

.1. cenel flattha olígechi eirpin do reir.

Cio ro bepa cona mo don flaith ann na do flaith cinuul
teéta, oir mo leir na reichio do breit do imarparao? Ir e in
pat ro bepa, mo donoir leiruim in eutrumu rin do biuó uplan
don flaith cinuul techta na eutruma a pattha do biuó anurlan
do tabairt don flaith athais, ce no beptha na reichio do
uimparao.

Flaith derpcapna ocuf rall cenn trailliuo.

.1. in brath ocuf na mairt on muó cetna; na ceithri
reirpuill fichet filit ann, reirpuill ar fichet oib ar reét
mucuib marba cen trailliuo, ocuf tri reirpuill ar tri miachuib
cruithneéta, ar ni uil in don rin rin.

Flaith cinuul coir athur ocuf penatup eirde
olígep mara la uptechta olcenu. Ní olíge flaith
raerparith, na cuirpiz, coir ecor pelba.

Flaith cinuul coir, .i. i mbreit bepthur a mar dia tiz, .i. lin
a daime. la uptechta, .i. la uapal olígeó uile ceta; i mbreit a

¹ According to —. Text defective here.

² To the chief. The words 'to the chief' are an aliter reading by another hand, inserted over the original words 'don pauth,' 'to the prophet,' which was most probably a mistake of the scribe for the words 'don flaith,' 'to the chief.'

more profitable for the inferior chief whom we have mentioned before, to give him the live beeves, in consequence of having their hides, it is illegal to give them to him unprepared, with their filth and ordure, for there had been no chief of his family except himself alone.

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A chief is thought more highly of by the law if his father has been a chief *before him*, and the author *of the law* thought it more becoming to give him his food prepared, without the stercorations impurities being attached to it, though it is less *in value* than when given uncleaned and unprepared, as it is given to the inferior chieftain before mentioned, though their hides are over and above given to him.

A chief is *entitled* to ale and boiled salt meat.

That is, he is a kind of lawful chief according to ——¹

What is the reason that there is more *given* to the *inferior* chief than to the chief of legitimate family, for he obtains the hides as excess? The reason of this is, he (*the author of the law*) deems it more honourable *to give* this quantity of food prepared to the chief² of legitimate family than to give the amount of his stock in unprepared food to the inferior chief, though the hides are given him as excess.

A chief is *entitled* to red meat and fat without being salted.

That is, the malt and the beeves in the same manner *as before*; of the twenty-four ‘screpalls’ which are there *mentioned*, twenty-one are for seven slaughtered pigs without being salted, and three ‘screpalls’ for three sacks of wheat, for no butter is due to this man.

The chief of true family by father and grandfather is entitled to returns with all noble rights in general. Neither the chief who has given ‘saer’-stock, nor *the chief* who has taken third security, is entitled to a return of cattle.

The chief of true family, i.e. his due is to be brought to his house, i.e. *according* to the number of his party. With all noble rights, i.e. with all other noble dues in like manner; his food is to be brought to him to his house, or

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bið do da cið, no iʀ da caithem ciðar, .i. na doornid iaria, no na lubra iaria, ocuʀ fnecla do doorniað. Ní olis flaitiʀ færiaiati, .i. in flaitiʀ cuicrið cið caoch, cið leð colpach tapraicteʀ a feoiʀ iʀ a tabuicte fein do; ocuʀ muna tapraicteʀ nochan fuil nað ní do.

In flaitiʀ éraorniatha imuipio, cia tapraicteʀ cin su tapraicteʀ a feoiʀ, iʀ aithgin feib ro raða nama sic iʀ. No dono, aét ma maipit, iʀ aicic amuil maipiuʀ cið dooluid e. Munu maipenn, iʀ aithgin feib ro raða, .i. iʀ i comairniʀ fl etuipiu, cið beð do biuð ro caithuʀtuʀ in flaitiʀ, a oilʀi do, ocuʀ iʀ oilʀe don ceili loʀ ocuʀ aʀ ocuʀ geʀt na aʒaíð iʀn; ocuʀ aithgin a raða aicic don flaitiʀ raorniath.

In flaitiʀ cuicrið; cið beð do biuð ro caithuʀtuʀ a oilʀi do, ocuʀ iʀ oilʀe don ceile loʀ ocuʀ aʀ ocuʀ geʀt, ocuʀ do neoch ro caiteð do coluinn in raða fein, na aʒaíð iʀn; aét aicic i neich maipiuʀ don rað. Ocuʀ ní e in ceili fein ro caiteʀ iunn in rað, aʀi oiaiað he fein ro caiteð, roaice ceibá uað in rað. No iʀ e comairniʀ fuil iʀiʀ flaitiʀ raorniath ocuʀ a ceile, aét mað maipie a rað, iʀ aicic amuil maipiuʀ cið dooluid é; munu maipenn, iʀ aithgin feib ro rað. Al flaitiʀ cuicrið imuipio, aét ma maipie a rað iʀdec iʀ aicic do; muna maipenn ní de iʀiʀ, nocha nicthuʀ nað ní iʀiʀ; uaiʀ a deiʀ, mað ro fuaiʀ ní oiaʀeʀa.

Alcht aipieʀ enech iuice de paðeipiu.

.1. cumal enech gupiu no enec iuici nama, .i. aʀ feétmað eneciainne do i rogaíl laim do veniun ne raor ceile, ocuʀ a feétmað iʀde ina mac, oia nombe ní iʀiʀ; ocuʀ nocho oligteʀ

¹ *Work.* L. in the MS. has been lengthened on conjecture to 'lubra' work.

² '*Colpach*'-heifer. The Irish for this in MS. is 'caoch,' 'blind,' which would appear from the context to be a clerical error for 'colpach,' a heifer. Dr. O'Donovan translated as if the latter were the true reading.

³ *Seds.* Text defective here.

⁴ '*Airer*'-fine. Vide note, p. 126, *supra*.

he will come to consume it *at the tenant's house*, i.e. these are the stranger rents, or the work¹ rents, and it corresponds with 'daer'-stock tenure. Neither the chief who gave 'saer'-stock *nor the chief who has taken third security*, i.e. if the chief who has taken third security seizes his 'sed,' whether it be a 'colpach'-heifer,² or half 'colpach'-heifer, he must have the very 'sed' itself; but if he does not seize it, there is nothing for him.

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But the chief who gave 'saer'-stock, whether he seizes or does not seize his 'sed,' shall have restitution paid to him accordingly as he gave the stock. But, however, if it be living it shall be given as it is, be it ever so despicable. If it be not living, restitution shall be made *in cattle in the same condition* as he gave the stock, i.e. the account that is between them is, whatever portion of food the chief had consumed—it is his right—and the tenant shall have the increase the growth and the milk as a balance against this; and the restitution of his stock is to be made to the chief who gave 'saer'-stock.

As to the chief who took third security; whatever portion of food he has consumed it shall be considered as his right, and the tenant is entitled to the increase the growth and the milk, and to whatever was consumed of the original stock itself, as a counter-balance to this; but the part of the stock that is living shall be returned. It was not the tenant himself that had consumed the stock here, for if it were he himself that had consumed it, the stock would not be returned by him. Or the reckoning which is between the chief who gave 'saer'-stock and his tenant is, if the stock is living, it is to be restored as it lives, be it ever so ill-conditioned; if it be not living, restitution must be made as it was given as stock. But the chief who has taken third security, if his cattle be living, shall be repaid; if no part of them be living, nothing shall be paid to him; for it (*the law*) says—"If he has found no part of his 'seds'——"³

Except the 'airer'-fine⁴ of 'enechruiice' from himself.

That is, the 'cumhal' of blush-fine or 'enechruiice' only, i.e. because he has the seventh of honor-price for committing full trespass (*injury*) against his 'saer'-stock tenant, and the seventh for *injuring* his son, if there be anything; and nothing else is due for injuring him, i.e. or the seventh of honor-price for the killing of his

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ní eile í roḡaíl do denúin rir, .i. no reḡmaḡ enecḡannn í marbaḡ a raorḡeile, no na cḡolig-bair, no a mac a raorḡeile, ocuḡ nochā ḡligḡer ní í roḡaíl aile do denúin, .i. aḡer rḡn do marbaḡ a ceile, ar íḡ enech rḡice do maḡ enecḡann ḡligḡer inḡ (no, ní enecḡann ḡligḡur inn).

Ní ḡlig meith la bíaḡ, na ḡarḡaḡ ceilḡine rḡr ceile; maḡ rḡith lair, ocuḡ íḡ meirḡech athḡur ciḡr cum ro caḡa.

Ní ḡlig meith, .i. nochā ḡligḡó re rḡmachḡ meāḡa do í maile re bíaḡ, .i. cumāḡ, aḡḡ ḡiablaḡ. Na ḡarḡaḡ ceilḡine, .i. uair íḡ cuimḡech in ceilḡ athḡur in uair íḡ aile lair, ocuḡ nochā rḡuile ní uāḡ aḡḡ cuḡuma a ḡrin ḡaḡa bliāḡna no co ḡerḡuḡ amḡar. Maḡ rḡith lair, .i. ma rḡeāḡ e oc in rḡḡnam, .i. maḡ ḡrim lair no ma ḡlce. Íḡ meirḡech athḡur, .i. íḡ cuimḡech e a athḡur ciḡ cum beḡ ro caḡḡanach lair.

ḡia ḡoirḡe in ceilḡ ḡaorḡaḡ do aḡḡin on rḡaith rāorḡaḡ, ocuḡ ní ḡur on rḡaith rḡilleḡ rḡir in rāorḡaḡ, rācaib in rḡaith ḡrian ar ḡumḡairi in ḡan rḡn. Muna ḡoirḡe in ceilḡ imurro, íḡ ḡiler ḡon rḡaith rḡḡa laḡ ḡia rḡeāib.

Conic ḡuine imḡar re ḡraḡ rḡaḡa íḡraorḡaḡuib co naḡḡur rāiri co rḡu no ḡan rḡu, ocuḡ in ḡaorḡaḡ re re ḡur, ḡrian do na rḡeḡ mbeo rāarḡaib; noḡo cumuimḡ ḡḡa re ḡur amach, aḡḡ munub imḡar a cobḡa rāiri, no munub aḡḡḡaḡ rḡaḡa.

Conic ḡuini imḡar re rḡ neḡḡann do ḡner í rāorḡaḡ co n athḡur rāiri co rḡeḡu no ḡan rḡeḡu; no ḡono, conic imḡar re rḡḡ neḡḡann re re ḡur í rāorḡaḡuib, ocuḡ ḡuile ḡiaḡarḡuḡ o rḡn amach; ocuḡ í ḡaorḡaḡ re re ḡur, ḡrian do na rḡeḡ mbeorāḡa, ocuḡ nochā cumuimḡ ḡḡa re ḡur amach, aḡḡ amuile do ḡenāis re rḡḡ uḡein.

¹ *Permanent injury*, i.e. a death maim, a maim which does not cause death, but which remains until death.

² *Height of chieftainship*, i.e. where the external chief becomes a man's natural chief by length of time, after the reign of three successive chiefs. If the vassal remained

'saer'-stock tenant, or for inflicting upon him a permanent injury,¹ or for *killing* the son of his 'daer'-stock tenant, and nothing is due for inflicting any other injury, i.e. he has insult-fine here for the killing of his tenant, for he shall have 'enechruice' if he is entitled to honor-price for it, or he is not entitled to honor-price for it.

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He (*the chief*) is not entitled to fine and food, nor to refasten the tenancy upon the tenant; if he be weary of it, he (*the tenant*) can return *the stock* when he pleases.

He is not entitled to fine, i.e. he is not entitled to fine for failure along with the food, i.e. a 'cumhal,' but *he is to pay* double. Nor to refasten the tenancy, i.e. because the tenant can return *the stock* whenever he likes, and there is nothing due of him except the proportion of his third every year until they separate. If he be weary of it, i.e. if he be weary of the service, i.e. if he deem it oppressive or bad. He can return, i.e. he is able to return *the stock* whenever it is pleasing to him.

If the tenant offers to take 'daer'-stock tenancy from the chief *who gave* 'saer'-stock, and that addition to the 'saer'-stock cannot be got from the chief, the chief then leaves one-third for recalling. If, however, the tenant has not offered *to do so*, the chief may lawfully have his choice of the 'seds.'

A man can separate from one of the chieftain grade in 'saer'-stock tenure by returning the 'saer'-stock with or without 'seds,' and in 'daer'-stock tenure during the lives of three persons, being the third of the seven life separations; *but* he cannot after the expiration of the life of three persons, unless it be separation *resulting* from desire of *changing* to 'saer'-stock tenure, or when the chief is indigent.

A man can separate from an external king at all times in 'saer'-stock tenure by returning the 'saer'-stock with 'seds' or without 'seds;' or, indeed, he can separate from an external king during the life of three persons (*kings*) in 'saer'-stock tenure, and it is height of chieftainship² from that out; and in 'daer'-stock tenure *he can separate* within the life of three persons, being the third of the three life separations, but he cannot after the death of three persons, except as he could from his own king.

in the external territory by consent of his own natural chief during the reigns of **three** chiefs of the external territory, be that long or short, he shall be ever after considered as the tenant of the chiefs of the external territory. *Vide C. 1006.*

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Nocha cumuings duini imrcar pe nuz budein do zner ir raorprath, .i. a zraðuib platha fein amuil a nuz fein; ocur nocha cumuings cið i nðarprath aét munub imrcar a cobru rairi, no munub anpoltach platha. Ocur ir cet for runn co mbeé umrcar do duini pe nuz neétrann do zner irrairprathuib.

Conic duini cin ðarprath do gabail o duini do zner aét munub ail do budein; ocur connic cið in raorprath do gabail aét o nuz budein; ocur nocha cumuings ce raorprath do gabail o ní padein. Connic in plaitz umrcar i raorprath do zner, cið pe ðeithbiruif cið pe innðeithbiruif; ocur connic in ceile on muð cetna co nathchur rairi co feotu no zin feotu. Ocur ir ann ir athchur rairi co feotu no zin feotu, in tan ir e in zrað platha ir nera do rat in rat ða ceile, athchurðeic co feotu, ocur athcuiréð comarba for comarba zin feotu; no ir anð atá in tathchur rairi co feotu, in tan atá in plaitz ocur in ceile i mbeúiré, no atá inð aruðe ocur ir marbáð arailé. Ir ann atá in tathchur rairi zin feotu, in tan ir marb an ðir, ocur ir on plaitz ir nera no gaburpur rat.

Mará plaitz ðar aile no gaburpur rat nocha biad athchur rairi zin feotu ann, co no athcuiré comarba for comurba.

Mar on plaitz ir nera do riðe no gab, ir uá for uá, no inðua for inðua, no iarimo for iarimo, ocur in ðin zrað bir itir in tí do beir in rath ocur in tí ðia tabuir, ocur ir e in ðin coibðelaé acerur in rath zin feotu raorprath rin; no conach caomnairtea in tðaire ðathchur; ocur noðon i athcuirteher aét in ðaire ciðeir rin.

Zne eile.

Ir nua atá in cain tðarprath feo pe nuz neétrann, pe zrað platha neétrannur, ocur pe zrað platha fein; no ðono, ir pe zrað platha neétrann nama, ocur a zrað platha féin amuil a nuz fein. Conic imrcar pe ní neétrann, ocur pe zrað platha neétrann, ocur pe zrað platha fein do zner i rairprath, con athchur rairi co feotu no zin feotu; no ðono, connic imrcar

¹ Another version. The words zne eile, 'another version,' are inserted from the margin of the MS.

A man can never separate from his own king in 'saer'-stock tenure, i.e. *he cannot separate from his own chiefs except as he could from his own king*; and he cannot *separate* even in 'daer'-stock tenure unless he separates from a desire of *changing to 'saer'-stock* tenure, or unless the chief is indigent. And here the opinion of *lawyers* is, that a man can at all times separate from an external king in 'saer'-stock tenure.

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A man need never accept of 'daer'-stock tenure from any other unless he likes it himself; and he need not accept even of 'saer'-stock tenure *from any* but his own king; and he cannot refuse taking 'saer'-stock tenure from his own king. The chief can always take away^a his 'saer'-stock whether with or without necessity; and the tenant can, in like manner, return the 'saer'-stock with 'seds' or without 'seds.' Returning of the 'saer'-stock with 'seds' or without 'seds,' means when it is *a chief of the nearest chieftain* grade that had given the stock to the tenant, who returned it with 'seds,' but the one heir transmitted it to the other without 'seds;' or the returning of the 'saer'-stock without 'seds,' is when the chief and the tenant are *both* living, or one of them is *living* and the other dead. The returning of the 'saer'-stock without 'seds,' is when both are dead, and the stock had been received from the next chief.

^aIr. *sepa-*
rate in.

If one chief has received stock from another there shall be no returning of the 'saer'-stock without 'seds' in that case, until one heir transmits to another.

If it is from the chief next to him *again* he has taken *it*, it is grandson upon grandson, or great-grandson upon great-grandson, or the son of a great-grandson upon the son of a great-grandson, and the number of degrees which are between the person who gave the stock and the person to whom it is given, is the number of relatives who shall claim the stock without 'seds' of 'saer'-stock; *or the cattle given in 'saer'-stock cannot be returned*; and it is not it that is returned here, but *the cattle given in 'daer'-stock* are what are here mentioned.

Another version.¹

This rule of 'saer'-stock tenure is *applied* to an external king, or an external chief, or one's own chief; or, *according to some*, to an external chieftain only, for his (*the tenant's*) own chief is as his own king. He can always separate from an external king, and an external chieftain, and from his own chieftain, in 'saer'-stock tenure, by returning *the cattle given in 'saer'-stock* with 'seds' or without

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re ní neétranann re re trur i rraorriath; ocuṛ tuṛaí tiaserriair o rin amach re ní neétranannur re re trur. 1 nṛaorriath, treni do na reét mbeorcartha, ocuṛ re gnao plaṛa neétranann re re trur i nṛaorriath, treni do na reét mbeorcartha. Nocho cuimgech imrcaraṛ re ní uṛein do gneṛ, i raorriath nach a nṛaorriath, aét munip anpoltach in plaitḥ, no munip rcaraṛ ar acobair raoiri. Ono airi a gnao plaṛa fein amuil a ní pen.

Cuin ata in tathéur raoiri co reotuib no gin reotu? 1r anṛo ata gin reotu in inbuir 1r comairba for comairba. 1r anṛo ata co reotuib in inbuir 1r reime rin.

Cia níṛ ata in cain éraerriath de riṛe? Re gnao plaṛa neétranann.

Saorṛ don plaitḥ, cip cun ro cara, rogaṛo laime dia reuib; 1r mifech maine artaithur fpi rommuine naircendcha.

Saorṛ don plaitḥ, .i. irarṛ don plaitḥ cṛob cuin buṛ carṛanech leiṛ. 1r mifech, .i. 1r cuimgech in plaitḥ breith a rath a cuice, aét munub níṛ arṛar in ceile e re romuine in raorriath co níṛ chinnṛi; no 1r cuimgech plaitḥ raorriath a rath do tabuirṛ cuici in tan buṛ aíl leiṛ, aét munub e fpeccra in ceile tuilleṛo diairriarṛ níṛ in raorriath gupub raorriath anṛo do, ocuṛ maṛe, 1rreṛo oleṛur tuilleṛo do níṛ co roibe raorriatḥ anṛo, ocuṛ muna tuctur 1r uilṛ a raorriath uatṛ. Ocuṛ plaitḥ eétrannṛo rin, uair raiaṛo é a plaitḥ uṛein noco uilṛ uatṛa raorriath gin co tuca tuilleṛo níṛ do; no dono cona beṛ anṛeṛbir cṛobe plaitḥ.

‘Dia tarṛar reoit turcluiṛe, 1r uilṛ ar pecht mbiaṛuib, maṛo in plaitḥ buṛ maib; muna tuctur reoit turcluiṛo, 1r uilṛ ar tri biaṛuib iar necuib na plaṛa, o comairba for comairba. 1 cṛno tri mbiaṛan oleṛur plaitḥ raorriath cobeir a raṛa do tairdeṛ do i mbiuṛ, ocuṛ muna ti anṛirdeic, arṛ ocuṛ loṛ ocuṛ gṛeṛ do uilṛ na cenṛo co ceann tri mbiaṛan eile, ocuṛ 1r e in gṛeṛ hṛim, rṛepall ar mairlach bo moirṛe no raim riata, co cenṛo mbiaṛona, ṛil.

¹ *Successor*. That is, due by the successor of the tenant to the successor of the chief.

'seds'; or else he can separate from an external king during the life of three persons in 'saer'-stock tenure; but from that time forth the external king has height of chieftainship *over the tenant* during the life of three persons. *He can*, in 'daer'-stock tenure, the third of the seven life-separations, *separate*, during the life of three persons, from an external *landlord* of chieftain grade, it being the third of the seven life-separations. He cannot separate from his own king at any time, either *while he holds by* 'saer'-stock tenure or by 'daer'-stock tenure, unless the chief be indigent, or unless he separates from a desire of *changing to* 'saer'-stock tenure. His own landlord of chieftain grade is *in the same position as* his own king.

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When is the return of the 'saer'-stock with 'seds' or without 'seds'? *The return without 'seds'* is when it is *a case of* successor¹ upon successor. *The return with 'seds'* is when it (*the return*) occurs before that time.

With whom, therefore, is the Cain-Law of 'saer'-stock tenure? With an external *man* of chieftain grade.

The chief is free, whenever he pleases, to take away his 'seds'; he can *do so*, unless they are detained in *consequence* of definite rent *in food having been paid*.

The chief is free, i.e. it is free to the chief whenever he pleases *to do so*. He can, i.e. the chief is competent to take back to himself his stock, unless the tenant detains it definitely by the returns *due* in the 'daer'-stock tenure; or the chief of 'saer'-stock tenure is competent to take back to himself his stock whenever he likes, unless the answer of the tenant to him be, to ask an addition to the 'saer'-stock that it may become 'daer'-stock to him, and if it be so, he is entitled to this addition until it amounts to 'daer'-stock, and unless it is given he must return the 'saer'-stock. And this is *in the case of* an external chief, for if it were his own chief it would not be lawful to take his 'saer'-stock from him unless the addition be given to him; or, *according to others*, it matters not who the chief may be.

If the returnable 'seds' are given, they are forfeited for seven refections, if the chief be dead; if the returnable 'seds' are not given, they are forfeited for three refections after the death of the chief, from successor to successor. At the end of three years the chief who has given 'saer'-stock is entitled to receive the value of his stock in food, and unless this has been supplied, the growth increase and milk to the end of three other years, shall be added to it, and this milk, &c., is *valued at* a screpall for the dung of a large cow or of a ploughing ox, to the end of a year, &c.

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Saoer don flait̃h cip cum ro caru.

.1. mata in flait̃h a chuinochi a raorpratha, connic a bpeith, aét munub e ppechra in ceile, tabuir tuilleó nyrin raorprath co roibe raorprath anó; ocur ippeó olegur don flait̃h a tuilleó; uair ip rochur do, ocur munu tucad, in rath do beith oc an ceile, no tuilleó uatorum. Ocur níz eétran nyrin, no a gpaó flathra pen, no gpaó flathra eétran. Ocur da maó é a níz fein, noch a cumuig a raorprath nach a raorprath do bpeith do gper, aét munub anpoltach in ceile; ocur noch a fúilet beorcapta itir in ceile ocur a ní duthaig fein, aét munub innoligteé neétair de, no munub cummnci raorprat a raorprat. Oíur a rathra don flait̃h in tan bur ail do mpcar, aét munub raorprath a cummngió raorprat; ocur maó eó on, ní oíur, ocur oia ruca in flait̃h a rath anpceic, ip amuil tiumgair e ar oimann. Maó do bepar raorprat do, ip tuilleó nyr in trian loz enech anó, ocur tuilleó nyr an rath co roibe rath amuil ro loz ann; no dono cumad mpcar do pper na mbeorcapta doib ar ceanu.

Saor do comurbaib na flathra ciar; uair ní mpech in flait̃h donuipra a pperige.

Saor do comurbaib, .i. na comarbaó do nupreit ann, S.D. .i. a terta dona peét mbiaóna do ic; ip ann nach oibairt doib mpcarad; no do na peét mbiaóuib, aóir lebair pe eile, .i. ar a na tabarata do rat. Uair ní mpech in flait̃h, .i. ar noch a cummgech in flait̃h oibtuir na tpuairi ní ip gairt na ar pecht mbiaóuib, no cuma cummgec in flait̃h conuipra p a tpuairi inni na ro caithertur in rath dona peét mbiaóuib; no in ní do ro caithertur biaó don rath. Ciamaó ail nyr nyr an flait̃h a maitham don ceile pe bar, noch a cummgec he.

Oíur, acht diablaó co na trian .p.

.1. ar in uilataig uil, .i. aét aithgin cona diablaó, co cutruma trian in rath hí linn ocur hí mbiaó, .i. biaó na peét mbiaóan nyrin peétmaó mbiaóan, aét diablaó naéigina, ocur ppechra do loz, ocur dar, ocur do gper, .i. ip oíur in raorprat a

¹ *A benefit to him.* That is, when the chief gives such an addition as converts the 'saer'-tenancy to 'daer'-tenancy, his returns (rents and services) are increased considerably, and the law assumes that he ought not to refuse this when the tenant is willing and formally requests to be made a 'daer'-tenant, paying rack-rent.

The chief is free whenever he pleases.

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That is, if the chief is seeking *to get back* his 'saer'-stock, he can get it, unless the answer of the tenant is, "Give an addition to the 'saer'-stock that it may become 'daer'-stock;" and then the chief is bound to give the addition; for it is a benefit to him,¹ and if he does not, the stock remains with the tenant, or he (*the chief*) gives the addition. And this is *in the case of* an extern king, or his own *landlord of* chieftain grade, or an extern *landlord of* chieftain grade. And if he be his own king, he can never take away either his 'saer'-stock or 'daer'-stock, unless the tenant is indigent; and there are no life-separations between the tenant and his own hereditary king, unless either of them act illegally,^a or unless it be sought to ^{a Ir. Be un-}convert 'saer'-stock tenure into 'daer'-stock tenure. His pay-_{lawful.}ments are due to the chief if he wishes to separate, unless where 'saer'-stock tenure is sought *to be converted* into 'daer'-stock tenure; but if it be so, *payment* is not due to *the chief*, and if the chief take away his stock in this case, it is like taking away with contempt. If 'daer'-stock be given him (*the tenant*), addition must be made to *the amount of* the third of the honor-price for it, and addition shall be made to the stock until it is complete; or they may separate after the manner of life-separations in general.

It is free to the successors of the chief; for the chief is not competent to forgive the payment of what supplies his house.

It is free to successors, i.e. the successors who come after here, S. D., i.e. to pay *the dues for* what is wanting of the seven years—it is then not wrong to separate; or, as another book states, "*what is wanting of the seven payments of food*," i.e. on account of the stock which *the chief* gave. For the chief is not competent, i.e. for the chief has not the power to forgive the remnant for less than the seven foods, or the chief has the power to forgive the remnant which the stock had not consumed of the seven foods; or the part of the stock for which the food had not compensated. Even if the chief should wish to forgive it to the tenant before his death, he is not competent to do so.

Is forfeited, but double with a third.²

That is, for the whole altogether, i.e. except the restitution with its double, with the amount of the third of the stock in ale and in food, i.e. the food of the seven years *is to be paid* in the seventh year, except double restitution, and *the tenant is to be answerable for*

² A third. Text defective here.

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haithli na reét mbliadán; no biað na tpi céet bliadán, ocuf aithgin in raða, .i. cutrumur a tpin ler cachá bliadóna i neturrcaruit, .i. biað na bliadóna a ndenuit umrcar i r e diablað atbeir runo. I rpeð i r aithgin ann in raðh ocuf in biað ro reithurtau a forbað na tpi mbliadán; ocuf i rpeð i r diablað ann na reét fuilleða; i rpeð i r tpiann anó in biað na bliadóna in dentar in tiumrcara.

iar recht mbliadóna má beith cen t. cen c.

.1. iarum i r in reétmað bliadán i r ann i r uilur he munu acar co forbað na reét mbliadán, .i. iarum i r in reétmað bliadán ata biað na bliadóna a neturrcaruit, no i r anó do ruignigrit umrcar, no eíð rime, munur ic é conuici rin.

Uilur ácht cu muine coipe, raðh nathig do flath.

.1. aithgin no dono i r cutrumu a raða do dia teora bliadóna, .i. i r uilur in rað do beir in taitech don flath áct co cutrumuiter cutrumu na maíne do iar cae coir, .i. o do beira loğ a raðha do biuð aonreét, no o do genu a cutrumu do ler dała no aipeéta, a uilur uað daíci inoigrió air rað do tabuirt do gnað flathu.

Fiach cutrum rað aithuig dia laile.

.1. in raðh do beir in taitech gnaíð rime da ceile; ocuf raorpaðh ar aigrió buóem ro, cin daerpaðh do tabairt roime, .i. i r e fiach ata on aithech da ceile, .i. cutrumur a tpin ler cach tpef bliadán in biuð ocuf in lino, .i. do beir in gnað rime da ceile, .i. aithgin, ocuf cuir na bliadóna i nacar, ocuf

¹ Without T , without C . Text defective here.

the increase, the growth, and the milk, i.e. the 'saer'-stock is forfeited after the expiration of seven years ; or the food of the three first years and the restitution of the stock, i.e. a quantity equal to one-third is *to be added* to it every year in which they separate, i.e. the food of the year in which they separate is the double which is here mentioned. "Restitution" means the stock and the food which had accumulated at the end of the three years ; and "double" means the seven "additions ;" and "the third" means the food of the year in which the separation is made.

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After seven years if they be without T , without C .¹

That is, afterwards in the seventh year it (*the return*) is forfeited unless it be claimed to the end of the seven years, i.e. afterwards in the seventh year the food of the year in which they separate *is to be paid*, or it is in it they separated, or even before it, if it had not been paid up to that time.

The stock of an inferior *given* to a chief is forfeited, so as just returns are made.

That is, restitution or else the equivalent of his stock is given him in three years, i.e. the stock which the inferior gives the chief is forfeited so as the return is proportioned after a proper manner, i.e. when once he (*the tenant*) has given him the value of his stock in food, or when he has performed its equivalent in service at the meeting or the court, it is forfeited by him (*the inferior*) to punish his illegality upon him for having given stock to *one of* the chieftain grade.

The stock *given* by one man of inferior rank to another *produces* proportionate debts.

That is, the stock which the man of inferior rank of the Feini grade gives to another ; and this is 'saer'-stock on his own account, not having given 'daer'-stock previously, i.e. it is a debt which is due from one man of inferior rank to another, i.e. the equivalent of one-third of the stock *is to be added to the original stock* every third year in food and ale, i.e. *when one of* the Feini grade gives stock to another, i.e. restitution, and the portion *due* for the year in which it is claimed,

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bo ła teopa ba ɔia teopa bliaðna, uairi ni tapɔð ɔaepɔrɔɔt ɔia ɔaopɔrɔɔth ɔunn, ocuf ɔo ɔrɔt tuar. 1ɔ aipɔ aɔa ɔan bliathu ɔo.

Sic.

Cɔo ɔo ɔepɔ ɔat conɔt 1x. mbliaðna ɔo ɔoicɔ cutɔumuf a ɔrɔthɔ ɔon ɔlɔith aithuiz ɔeo, ocuf ɔupɔb apɔ tɔpi bliaðna cutɔumuf a ɔrɔthu ɔon ɔlɔith aithuiz tuar? 1ɔ e in ɔat ɔo ɔepɔ, ɔaopɔrɔɔth ɔia ɔaopɔrɔɔth ɔo ɔabɔð on ɔlɔit aɔaiz tuar, ocuf ɔlɔizɔ he, ocuf ɔoipɔ ɔia ɔrɔt ɔairɔi in ɔe apɔ ɔoipɔð cutɔumuf a ɔrɔɔa ɔo, no ɔon ɔlɔit aithuiz ɔo, uairi nochar ɔabɔð ɔaepɔrɔɔt ɔia ɔaopɔrɔɔth uɔɔa ɔeic, ocuf inɔlɔizɔ he; ocuf ɔoipɔ ɔiamɔð ɔiaɔi in ɔe apɔ ɔoipɔ cutɔumuf a ɔrɔɔa ɔo, .1. na naoi mbliaðna, uairi ni ɔil aɔt tɔpi bliaðna ɔomuinno.

ɔne eile. Cɔrɔe ɔeizɔipɔ etupɔu ɔin ocuf in ɔlɔit eile tuar ɔaɔa bliaðna, ɔo ɔuil cutɔumuf tɔpin a ɔrɔɔa ɔo biuð ɔon ɔlɔit aithuiz tuar ɔacha bliaðna, ocuf conɔ ɔuil ɔon ɔlɔith aithuiz ɔo aɔt cutɔumuf a tɔpin cachɔ tɔepɔ bliaðna, .1. bo ɔa tɔpi bu, conɔt apɔ naoi mbliaðna ɔo ɔoicɔ cutɔumuf a ɔrɔɔa ɔo? 1ɔ e in ɔat ɔo ɔepɔ, ɔaepɔrɔɔth ɔia ɔaepɔrɔɔth tuc an ɔuine tuar, ocuf ɔlɔiz he; ocuf ɔaopɔrɔɔt apɔ aɔaiz uɔein tuc in ɔuine ɔeo.

ɔuipɔtɔu cach ɔrɔth 1apɔ ɔipɔ.

.1. 1ɔ ɔo 1ɔ ɔrɔitɔ ɔairɔitɔiztɔepɔ cɔt ɔrɔth 1apɔ na ɔipɔ ɔo cétɔipɔ, .1. in ɔat ɔo beipɔ ɔo micoɔrɔt; ɔɔepɔrɔɔt ɔo ɔaopɔrɔɔth ɔo beipɔ ɔunn, in tan aɔbeipɔ a aɔrɔt in ɔrɔɔa o beite inɔ aɔitɔ, uairi ni aɔrɔitɔepɔ in ɔaopɔrɔɔt ɔin aithchupɔ.

ɔaepɔrɔɔth cach ɔoɔhɔu ɔech ɔine.

.1. ɔaopɔrɔɔt in cach ɔo beipɔ a ɔrɔth 1 ɔoetɔlɔt ɔech ɔine can a ɔoɔconɔɔrɔt ɔoiz ɔo cétɔipɔ; ocuf ɔan bet 1 naipɔen 1apɔtɔin, aɔt a ɔuaitɔpɔð buɔ ɔoipɔ ɔoib, 1apɔ mbet ɔepɔ aice.

Cupɔ na ɔaopɔceile ocuf na ɔaopɔceile, ocuf na ɔaepɔmanach,

¹ *Another version.* The Irish for these words is inserted from the margin of the MS.

and a cow as payment for three cows payable in three years, for he does not give 'daer'-stock before 'saer'-stock here, but he did above (*in the case above referred to*). It is for this reason he has full food.

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What is the reason that it is nine years it takes to give this inferior chief *here referred to* an equivalent for his stock, and only three years to give the inferior chief *above mentioned*, the equivalent of his stock? The reason is, that 'daer'-stock had been received before 'saer'-stock from the inferior chief *above mentioned*, and it was lawful, and it is just that the time should be shorter in which the equivalent of his stock should come to him, or to this inferior chief, for 'daer'-stock had not been received before 'saer'-stock from him, and it is not legal; and it is just that the time should be longer in which the equivalent of his stock should come to him, i.e. the nine years, for only three years are *allowed in the case* before mentioned.

Another version.¹ What is the difference between him and the other chief *above mentioned* as to every year, where the proportion of one-third of his stock is due in food to the inferior chief *above mentioned* every year, and that this inferior chief has but a proportion equivalent to one-third every third year, i.e. a cow as payment for three cows, so that it is in nine years the equivalent of his stock reaches him? The reason is, the man *above* had given 'daer'-stock before 'saer'-stock, and it was lawful; but this man gave 'saer'-stock on his own account.

Every gift of stock is to be acknowledged when known.

That is, rightly is every gift of stock acknowledged immediately after being known, i.e. the stock which one gives to an improper person; what he gives here corresponds with 'daer'-stock, when he gives what binds the stock after its being acknowledged, for the 'saer'-stock tenure is not rendered binding without payment.

Every evasion of the tribe is punished in 'daer'-stock tenure.

That is, every one is condemned who gives his stock in secret evasion of the tribe without giving them notice at once; and it would be right for them, after having received intelligence of it, not to remain in acquiescence of it afterwards, but to impugn it.

The contracts of the 'saer'-stock tenants, and of the 'daer'-stock tenants, and of the 'saer'-stock tenants of ecclesiastical lands, and of

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ocur na mic faorleicte do faratá uile, sin cinna do teét fuithib, aét giall na ocur mamóe; no ní ír len fine, ocur an tiubairt uile, ocur in ní reasat a leas a cinn do reic riu fadain.

Each cor uib taitimitheir uile, ír ar an, no treise, no cethruimé taitimitheir. Alon riu taitimé cor na ceile iar rir; ocur treise riu taitimech cor na mac faorleicte iar rir; ocur cuicte riu taitimeé cor na faormanaé iar rir. Ma taitimeé muirio a tiubairta nama, ír manó ocur in ré riu taitimenn in cenn a tiubairta fadain, .i. co ceithre uaire fichet, ocur co dechmaró.

Cuir muirio na nupocraó ocur na mboé, ír rochur ocur rochur do taitimech uile riu ré mif iar rir; aét roéur in mic gair, ocur na heircirtaóe, cor rliur, cur, ghl.

Ar ní hinnao nech dia raire iarmona.

.1. uair nochá denunn nech innuó no inar da ceile tar in ní aumamur romunn iarun a haithi na réet mbliadán.

Ír amluó ro riasailter in raé arsamaino, .i. teora ba cuicte don boaire ina raé; co nolienn teora ba bíó leo dia teora mbliadán cen elod impu. Co nolienn da ba dec ann iar nelod.

Se rcurpuill ír riu in laét ann, ocur da rcurpuill ír riu in laos, conaó ceitri ba ar in laét in cet bliaduin, ocur ceitri ba ír in mbliaduin tamuiré. Do ocur colpaé oét rcurpuill, ná ceitri mbo ná cet bliadóna, conaó naoi mba ramlaó ocur colpaé oét rcurpuill. Teora ba ocur da rcurpuill ocur di pinginn a fuilleó ná naoi mbo ocur ná colpaíge ír in bliadain deóenaró. Cetheora ba ná bliadóna riu leo, conaó ré ba dec ocur deé rcurpuill ocur di pinginn ar in laét conaó fuilleó. Scurpuill ar

¹ *Dishonesty*; i.e. cheating or over-reaching.

² *Sold to themselves*. The inhabitants of the territory of Corca Luighe could not sell any commodities without first offering them to the chief (O'Driscoll), who, if

the emancipated sons, are all confirmed, the tribe not being able to impugn them, except as regards the return in service or manual labour; or that which belongs to the tribe *by innate right*, and as regards every dishonesty,¹ and whatever the chiefs require to be sold to themselves.²

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As to every contract of all these which is dissolved, it is in one day, or three days, or four days they are dissolved. One day for dissolving the contracts of the tenants after knowledge of them; and three days for dissolving the contracts of the emancipated sons after knowledge of them; and five days for dissolving the contracts of the ‘saer’-stock tenants of ecclesiastical lands after knowledge of them. If their dishonest contracts only are dissolved, the time is the same as that in which the chief dissolves their own dishonest contracts, i.e. in twenty-four hours, and in ten days.

Also all the contracts of proclaimed persons and of cottiers, both good and bad contracts are all dissolved within the term of one month after knowledge *thereof*, except the good contracts of the ‘mac-gor,’ and the *other* exceptions, ‘cor’-filius, ‘cor,’ &c.

For no one gives increase to another afterwards.

That is, for no one renders increase or growth to another beyond the thing which we have said before after the seven years.

This is the manner in which the stock account is regulated, three cows are given by the ‘boaire’-chief as stock; after three years he is entitled to three cows in addition to them, if no absconding has taken place regarding them. After absconding, however, he is entitled to twelve cows.

The milk is worth six ‘screpalls,’ and the calf is worth two ‘screpalls,’ so that the milk of the first year is worth four cows, and that of the second year four cows. A cow and a ‘colpach’-heifer worth eight ‘screpalls,’ the four cows of the first year, *and the four cows of the second year*, amount to nine cows and a ‘colpach’-heifer of the *value of eight screpalls*. Three cows and two ‘screpalls,’ and two ‘pinginns’ are the addition of the nine cows and of the ‘colpach’-heifer in the last year. *Add* the four cows of that year to them, and the sum will be sixteen cows and ten ‘screpalls’ and two ‘pinginns’ for the milk with its addition. A ‘screpall’ is *allowed* for

he wanted them, might purchase them at a cheaper rate than any one else.—*Vide Miscellany of the Celtic Society*, p. 104.

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cach miallach bo moiri, ocuf leircupall ar na hí ata luḡa; da rcupull dec ar in ḡert irin cet bliaduin, ocuf da rcupull dec ar irin bliaduin tanuife, ocuf ceitri rcupuill fuilleo na da rcupull dec na cet bliadua, conio bo ocuf ceitri rcupuill afe a fuilleo irin mbliaduin deoenuig. Colpac tiri bo, ocuf ceitri pinginne, tabair na ceitri pinginne frii in colpac conio ramuife; tabair da rcupull dec na bliadua deoinaig friiri ramuife, conio bo, conio di ba ocuf ceitri pinginne ar ḡert na moiri inuile.

Sic.

Ir re rcupuill ar ḡert moiaio na cet bliadua, ocuf da rcupull dec ir in mbliaduin tanuiri ar na daoine, conio dec rcupuill. Ir e a fuilleo ir in mbliaduin deoinaig rcupull ocuf da pinginn, conio bo ocuf da rcupull ocuf di pinginn ocuf oet rcupuill dec ir in mbliaduin deoinaig, conio fiche rcupull ocuf di pinginn ocuf bo. Tabuiri ceitri pinginne ḡerta na moiri inuile frii na di pinginne, con da rcupull; tabuiri da rcupull do ramuife in inuio cucao, conio ceitri ba in ḡerta, aet na da rcupull ro. Tabuiri na ceitri ba ro frii na re bu dec in lachta, conio fiche bo. Tri rcupull ir frii cae dairt, ocuf re rcupuill ir frii cach colpac, conio fiche bo ocuf ramuife do taet do inuigh. Tabuiri na deit mba ro frii na di ba deḡ na collao, co na di ba fichit. Tabuiri ḡur in fichit remut. Tabuiri dec rcupuill na ramuife co fichit rcupull, ocuf co di pinginn in inuio, conio di ba ocuf da fichit, ocuf fiche rcupull, ocuf di pinginn, ir i meit na haragamant ro uile.

¹ *Eighteen.* The Irish has ten 'screpalls' here, but the sense evidently requires that it should be eighteen.

² *Account.* Dr. O'Donovan observes—The word 'aragamant,' translated account, is not to be found in any Irish dictionary, nor has the word turned up any where else, except in C. 162, and O'D. 1990. It apparently signifies a full account or calculation of running debts. Is it the same as the Latin argumentum?

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the dung of every large cow, and a half a 'screpall' for that of every smaller one; twelve 'screpalls' for the milk in the first year, and twelve 'screpalls' for it in the second year, and four 'screpalls' the addition of the twelve 'screpalls' of the first year, so that the addition in the last year amounts to a cow and four 'screpalls.' A 'colpach'-heifer *of the value* of one-third of a cow and four 'pinginns' are, when put together, equal to a 'samhaise'-heifer; add the twelve 'screpalls' of the last year to the 'samhaise'-heifer, and they amount to a cow, so that there are two cows and four 'pinginns' for the milk of the great cattle.

Six 'screpalls' *are allowed* for the increased milk of the first year, and twelve 'screpalls' in the second year for the people, making eighteen¹ 'screpalls.' The addition in the last year is a 'screpall' and two 'pinginns,' making a cow and two 'screpalls' and two 'pinginns' and eighteen 'screpalls' in the last year, making twenty 'screpalls' and two 'pinginns' and a cow. Add four 'pinginns' for the milk of the large cattle to the two 'pinginns,' and they make two 'screpalls;' add the two 'screpalls' to the 'samhaise'-heifer *given as* the increase to them, and they make four cows for the milk, excepting these two 'screpalls.' Add these four cows to the sixteen cows for the milk, and they make twenty cows. Three 'screpalls' is the value of every 'dairt'-heifer, and six 'screpalls' is the value of every 'colpach'-heifer, so that it is twenty cows and a 'samhaise'-heifer that go for the increase. Add these ten cows to the twelve cows for the carcass, and they make twenty-two cows. Add these to the twenty before mentioned. Add the ten 'screpalls' for the 'samhaise'-heifer to the twenty 'screpalls,' and two 'pinginns' for the increase, and they make forty-two cows, and twenty 'screpalls,' and two 'pinginns,' which is the amount of all this account.²

INCIPIT CAIN AIGILLNE.

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Cain aigillne ocur giallna.

Sic.

.1. doerruath, .1. rath ocur feoit turclurde, .1. in biao no na feoit turclurde, no na namunnu ocur na ratha, .1. riasail do berur don ti perin uga thoḡairde in giallna ocur gialla, .1. in celrime fein, .1. biathur ocur cometeēt on ḡeli; no cain, .1. riasail, .1. can uga giallna ocur gialla, .1. o ro ḡab in per feoit turclurde o alairde.

Cio dorli? Nin. Seoit turclurde, ocur tuirrec berpa airceanna.

Cio dorli, .1. cio tuillid no airilluignuirtir don cele do ní in celrime? Seoit turclurde, .1. ipod tuillid in aigillne, .1. feoit do berur a cloatar in daerruath, iri rin in aigillne. Tuirrec, .1. in cpec toirid-nuch do berur ar in mbiaod uair daerruath, co rin ciunnti. In rath fein iri rin in giallna (.1. ipd tuillur in giallna).

Ina fir no i nainfir fine ata in rath ro do ḡabail don ḡeli, uair damad i nainfir doib no tircuirir ro na choruib; ocur damad a fir dono, ciama mor in rath ir aruige forruud.

Ir a fir a met ocur iré ro fil uil ann, .1. ro fetutur rat do ḡabail, ocur ni fetutur cia met in ratha ro ḡabad ann, cu fuilit as triall tairtana fui co na eod farutur in airtuod forruud in rath ro innuirt liubuir; ocur in roḡnum ro tar a ceann o na ḡelid.

Mocho nparluigiunn oligeod ar duine daerruath do ḡabail o flairth fein, na o flairth ectrunn, na o ri pen, na o ri ectrunn,

¹ *Returnable* 'seds.' That is, cattle to be returned by the tenant when his term expires.

‘CAIN AIGILLNE’ BEGINS.

‘CAIN AIGILLNE’ or Law of ‘Daer’-stock tenure,
and of tenure by ‘giallna’-security.

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Cain Aigillne, i.e. ‘daer’-stock tenure, i.e. stock and returnable ‘seds,’ i.e. the food or the returnable ‘seds,’ or the liens and the stock, i.e. a rule which is laid down for the person who has chosen the tenure by security and the securities, i.e. the tenancy itself, i.e. the food and the accompaniment *to be rendered* by the tenant. Or ‘cain,’ i.e. a rule, i.e. the rule of options in tenure by giallna-security (‘uga giallna’), and of ‘securities’ (‘gialla’), i.e. when one man has taken returnable¹ ‘seds’ from another.

To what does *the stock* entitle a man? Answer—Returnable ‘seds’ and the proportionate stock of food-rents in general.

To what does *the stock* entitle a man, i.e. what does it claim or gain for the tenant who performs tenant service? Returnable ‘seds,’ i.e. these are what the ‘aigillne’-tenure claims, i.e. ‘seds’ which are given in ‘daer’-stock tenure, to be returned, this is the ‘aigillne’-tenure. Proportionate stock, i.e. the relieving-fee which is given for the noble food *due in* ‘daer’-stock tenure, with perfect exactness. The stock itself is the ‘giallna’-security (i.e. it is what the ‘giallna’-security claims).

This stock is received by the tenant either with the knowledge or without the knowledge of the tribe, for if it was unknown to them *that he did so* they could impugn his contracts; but if it was with their knowledge, though the stock be ever so great it is fastened upon them.

When its amount is known this is the case, *i.e. it is fastened upon the tribe*, i.e. they know that *the stock* was received, and do not know the amount of the stock that was received, and they are going to oppose it to the extent of their acknowledgment, *in this case* there is fastened upon them that stock which the books mention; but service shall be rendered for it by the tenants.

The law does not require of a man to accept of ‘daer’-stock tenure from his own chief, or from an extern chief, or from his own king, or from an external king; but the law requires of him to

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ocur arluige dliged fair raerirath do gabail ó ní féin. Ocur noch n parluigiunn fair raerirath do gabail o flait fein ina o flait éétrunn iná o ní éétrunn. Ocur da ngabair doerirath curub o ní fein gabur. Lan loğ einiuch ro rir ar airitin in doeriratha. Cio beg, cio mor in doerirath, ir egin loğ einiuch ar airitin.

Caitiat reoit turchluide caitch ro mias? Nin-Tri reoit da oğairig, tri recht cumula do ruirig, cethri recht cumula do ru ruiruch.

Do ruirig, .i. do ruğ erunn co rreagarba ruir, .i. ru lete erunn; no rin a rath ar doerirath o ní erunn, in tan bit gell erunn ina thig; no dono ir ina retuib turchluide. Cethri recht cumula, .i. do ruğ erunn ein rreagarba, ocur tairir do gab ríoe rath o ní romain; no cumuó o comurba pasruio do bertha rath do ní erunn, .i. in tan bit na hinbir rui, athcliaith ocur porclairge ocur luimniuch oléna, .i. ciat berer in ru ruiruch runn, ní do tarobrin aigillne fair acé do reallao loğ einiuch.

Cait turchrec cacha bea o beg co mor, cinmotha retu turchluide?

Co mor, .i. biathao cetruir.

.i. cait in crec toiririthniuch do beruir ar in mbiaó uair (.i. in bo co na forair) o bec mbíó co mor, no o bec in ratha co mor in ratha.

Cinmotha retu turchluide, .i. cinmotha in ret do beruir ar cloóatar in lan loğ einiú, ar airitin in daer rait, uair mas eríoe nocha neó rachur do ar airitin in daer rait, acé trian loğ einé.

Rriam mbiaó ro rír, ocur rmaét meaá rrim bíó innu, .i. 1 meé cacha bíó oib, ocur atait na robiaó rin cain aigillne big.

¹ *His own king.* If he is ever forced to take ‘daer’-stock against his will, it is from his own king. He may take ‘saer’-stock or ‘daer’-stock from any one, if he pleases himself, and can get the consent of his family.

² *With opposition.* “Cum renitentia,” i.e. the King of Erin when opposed.

³ *Principal king.* Dr. O'Donovan observes that this statement about the stock given to the king was a mere fiction of law.

take 'saer'-stock tenure from his own king. It does not require of him to take 'saer'-stock tenure from his own chief or from an extern chief, or from an external king. If he takes 'daer'-stock tenure it should be from his own king.¹ Full honor-price *is paid* down here on receipt of the 'daer'-stock. Whether the 'daer'-stock be small or large, honor-price should be *paid* on receipt of it.

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What are the returnable 'seds' of every one according to his dignity? Answer—Three 'seds' *are given* to the 'ogaire'-chief, thrice seven 'cumbhals' to the king, four times seven 'cumbhals' to the principal king.

To the king, i.e. to the king of Erinn, with opposition² to him, i.e. the king of half Erinn; or this is for the stock, as in 'daer'-stock tenure, from the king of Erinn, when the hostages of Erinn are at his house; or else they are the same as returnable 'seds.' Four times seven 'cumbhals,' i.e. to the king of Erin without opposition, for which (*being without opposition*) he received stock from the king of the Romans; or it was by the successor of Patrick the stock is given to the king of Erinn, i.e. when the seaports of Dublin and Waterford and Limerick, *and the seaports* in general are subject to him, i.e. although he (*the King of the Romans, or the successor of Patrick*) is supposed to give the stock to the principal king,³ it is not to impose tenancy upon him, but to show honor-price.⁴

What is the proportionate stock of each 'food'-rent from small to large, besides the returnable 'seds'?

To large, i.e. the feeding of four.

That is, what is the relieving-fee which is given *as proportionate stock* for the noble food (i.e. the cow with its accompaniment), from little food to much, or from the small stock to the large stock.

Besides the returnable 'seds,' i.e. besides the 'seds' which are given to be returned as the full honor-price,⁵ on receiving the stock in 'daer'-stock tenure, for if it be so this is not what will go to him on receiving the stock in 'saer'-stock tenure, but the third of honor-price.

The following are the chief foods, and the 'smacht'-fine for failing to render chief food *in each case of* them, i.e. for the failure of each food of them, and the inferior victuals are *set down* in the 'Cain

⁴ *Honor-price.* In the margin here are the words 'λεπυρ Οεθαγαν,' (the Book of Aedhagan,) indicating, no doubt, that this commentary was taken from that book.

⁵ *Honor-price.* The 'seds' returnable were always equal to the honor-price of the person to whom they were given.

¹ CAIN
AIGILLNE,
OR LAW OF
² DAER¹-
STOCK
TENURE.

Ocur gac biað oib ro aoir ro tabuir a rampuð iʒ a tabuir a
ano; ocur gac biað oibh aoir an gairuero iʒ a tabuir a an;
ocur gac biað na hinniʒinn ro tabuir i nectur de dairuiche iʒ
a tabuir iʒinn ngeiriuu; ocur dermbirect ro ar na rathuib
olegur ro na gnauib ro iʒ ro gabail; ocur mað ro gabat
imurhuio ratha dar inni inniur leabur, conneacur tiachtuim
ro coruib ime amuil gac noochur; no dono ciamað é in gnað iʒ
iʒle no gabad in rath iʒ mo, noch a ninnuigtuð ro ma cunic a im
fulung, ocur noch a tecur ro coruib ime.

Teora ba ar molt cona forair.

.1. rerepuil ariu, .1. oet ratha ro, ocur cach ni bur. eʒbaðach
don biuð ro berar on ceile, curub rechtmað bið.

Loʒ emech cach ain iʒeð a peota turcluide.

.1. lan loʒ emech o rlaic cetʒialla, ocur trian loʒ emech o
rlaic forʒialla, ocur nomad loʒ emech o rlaic cuiriuð ar
airuim ratha. Lan rath o rlaic cetʒialla, ocur da trian
ratha o rlaic forʒialla, ocur leat rat o rlaic cuiriuð. Lan
biathad, ocur da trian mbiathad, ocur leith biathad oib. Lan
rmacht ocur let rmacht ocur ceathraime rmachta oib i með
a mbið. Lan enecclann ocur let emecclunn ocur ceʒruime
emecclunne oib i meath a mbið. Lan emecclunð ocur
let emecclann ocur trian neimeclunne oib a roðuil lan pe
ceile; ocur noch a nruil cuiriuð na forʒialla a raorriathuib.

¹ 'Cain Aigillne Beg.' The Little Cain Aigillne.

² *Tenant.* In the margin of the MS., col. 200. .1. ni ruil raerriath ro
gabail ro neoch dia raib rlaic oib ro air. "No one who has any of these
chiefs over him is to take 'saer'-stock."

Agillne Beg.¹ And every food of these which is mentioned as given in the summer must be given then (*i.e. in that season*); and every food of them which is mentioned *to be given* in the winter is to be given then; and every food which is not mentioned to be given in either of them (*the seasons*) in particular is to be given in the winter; and this is an illustration of the fact as regards the stocks which are due to the inferior grades down here; and if they (*the inferior grades*) have received excessive stock over and above what the book mentions, it (*the contract*) can be impugned like every other bad contract; or indeed if it be *a man* of the lower grade that received the greater stock, it is not unlawful for him *to do so* if he is able to bear it, and his contract respecting it is not impugned.

'CAIN
AIGILLNE,
OR LAW OF
'DAEB'-
STOCK
TENURE.

Three cows for a wether, with its accompaniment.

That is, a 'serepall' is its value, *i.e.* this is eight stocks, and if any part is defective of the food which is rendered by the tenant, let one-seventh of the food be *the fine*.

The honor-price of every one is *equal* to his returnable 'seds.'

That is, *stock equal to full honor-price is given* by the chief who had taken the first 'giallna'-securities, one-third of honor-price by the chief who had taken the second 'giallna'-securities, and one-ninth of honor-price by the chief who had taken the third 'giallna'-securities on the acknowledgment of stock *by the tenant*.² Full stock *is given* by the chief who has taken the first 'giallna'-securities, two-thirds of stock by the chief who has taken the second 'giallna'-securities, and half stock from the chief who has taken the third 'giallna'-securities. Full food, two-thirds of food, and half food *is given* to them *in return*. Full 'smacht'-fine, and half 'smacht'-fine, and one-fourth 'smacht'-fine *are paid* to them in case of failure *in payment* of their food. Full honor-price, and half honor-price, and one-fourth honor-price *are paid* to them for failure of their food. Full honor-price, and half honor-price, and one-third honor-price *are due* to them *respectively* for full injury done to their tenant; and there is no chief who has taken third 'giallna'-securities, or chief who has taken second 'giallna'-securities in 'saer'-stock tenures.

'CAIN
AIGILLNE,
OR LAW OF
'DAER'-
STOCK
TENURE.

Ḍaithe inóiligiḍ ar in ceile forḡiallḡa ocuf caitiríḍ do ḡabail
a raire, no laigḡoigeḍ a reoit turluioe.

Turluioe ar bef bef coir amuil bef a toḡachḡ, ocuf a
ḡraḡ, ocuf a miaḡ, ar tḡian a ḡuinn ocuf a meirce.

Turluioe, .i. in cḡeic toiríḡnech ír coir ar in mbiaḡ uair ír coir do
toimḡula. Amuil bef a toḡachḡ, .i. tḡe ocuf inile, .i. aḡeaḡḡa.
Ḍ ḡraḡ, .i. do na reḡḡ ḡḡaḡuib, .i. in no uirneḡur a rine, S.Ḍ. Ḍr
tḡian a ḡuinn, .i. no tḡian na heḡca aḡa i ḡḡaḡ ar, no a cḡeḡ no a
rḡithe. Ḍ meirce, .i. a meirce oca, S.Ḍ. .i. tḡian ineich tuilluḡ a
ḡlaḡemnuḡ do ma tait celíḡe aḡe, .i. tḡian coirḡoipe na cneíḡe fer-
ḡuigḡur air ar meirce; no tḡian a ḡḡma.

Ḍ biaḡaḡ ḡo met a raíḡ o raerceile ocuf o doerceile, ocuf
ḡmaḡ a chana, ocuf ḡmaḡ a ḡuaḡuigḡ, ocuf biaḡaḡ cunḡbaḡa,
ocuf fuilleḡ a ḡill, ocuf rḡithe a roit ocuf a raireḡ, írḡeḡ
óiligiḍ o tuaitḡ oílchena.

Ḍr leth ḡḡi beo eluḡ.

.i. reirḡe ḡucurḡur raíḡ ar arḡur, ocuf no ḡuaḡuigḡ in
ḡlaíḡ eiríḡe; in reiríḡḡ fuilluḡ in tḡian curub leth, .i. leth
cotuch rine ríul a laim na tḡeaḡuine ann, ocuf ḡlaíḡ no
ḡuaḡuice he.

Beo eloḡ do rine in ceile inḡo, ocuf icuḡ in tḡeaḡuine in cet
biaḡ, ocuf beruḡ in tḡi ḡḡi bḡuine in bíḡ tanuḡe; ocuf
comḡoinnit in tḡi ar rín, a tḡian do ḡlaíḡ, ocuf a tḡian do
ecluír, ocuf a tḡian ḡrine; ocuf in tḡian no ḡiaḡḡ ḡrine ann,
a leḡ do tḡeaḡuine co no icḡhuḡ ḡia aḡḡin in bíḡ co loḡ ocuf ar
ocuf inḡorḡuḡur ocuf lan eneclann. Ocuf no ḡuaḡuice ḡlaíḡ
he. Tabuḡ in reirḡe ḡḡin tḡian curub leḡ.

¹ *Things found.* 'Frithe.' Things found on his land which belong to him by
right, such as waifs, strays, treasure-trove; and at sea, flotsam, ligam, &c.

It is to punish the tenant for his illegality in having 'taken' second and third 'giallna'-securities, whilst he had the 'saire'-privileges (i.e. while holding by 'saer'-stock tenure) that his returnable 'seds' are lessened.

'CAIN
AIGILLNE,'
OR LAW OF
'DAER'-
STOCK
TENURE.

Proportionate stock is given for rent, which is regulated according to his (*the tenant's*) property, and his grade, and his dignity, for the third of his 'eric'-fine due for stealing and for drunkenness.

Proportionate stock, i.e. the relieving fee, which is proportionate with the noble food about to be supplied. According to his property, i.e. in land, and cattle, i.e. houses. His grade, i.e. one of the seven grades, i.e. what his tribe conferred.—*S.D.* For the third of his 'eric'-fine due for stealing, i.e. or the third of the 'eric'-fine which is due for stealing from him, or plundering him, or taking his things found.¹ Drunkenness, i.e. for his being drunk with them, *S.D.* i.e. the third of what his chieftainship entitles him to if he has tenants, i.e. the third of the body-fine for the wound which shall be inflicted on him in his drunkenness; or the third of his ale.

His (*the chief's*) food shall be *supplied* by the 'saer'-stock tenant and by the 'daer'-stock tenant according to the amount of his stock, and 'smacht'-fine for his tribute and his hosting, the food for his residence, and the interests of his pledge, the waifs of his road and of his sea:—these he is entitled to from the country in general.

For one-half for life absconding.

That is, the sixth of the stock he carried off first, and the chief redeemed this; the sixth added to one-third makes one-half, i.e. half the share of the tribe is in the hands of the surety in this case, and the chief redeemed it.

In this case the tenant absconded in the lifetime of the chief,^a and the surety pays the first *return of food*, and he gives the land for the furnishing of the second *return of food*; whereupon they divide the land, one-third is *given* to the chief, one-third to the Church, and one-third of it to the tribe; and of the third of it which comes to the tribe, one-half shall be given to the surety until he is paid restitution of the food, with the increase, growth, and addition, and full honor-price. And the chief redeemed it. Add the one-sixth to the one-third and they make one-half.

* Ir. *Life-absconding.*

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Μαθα αἰτίτιν fine, ocuf cēt giallna gabur forziallna, ocuf
if beo éloḡ, if tpuan bepuif cētziallna, ocuf leť tpuan fine,
ocuf tpuan in leťe fin áađa oi forziallna, ocuf tpuan in leťe
eile o fine, conno tpuan tpuan fine oi forziallna, ocuf if e .ix.
in orba uile, conno da tpuan tpuan fine bepuif flaiti.

Μαθα αἰτίτιν fine aonup, ocuf if beo éloḡ do bepuif for na
flaitiib, if tpuan do cētziallna, ocuf leť tpuan fine, ocuf da
tpuan leťi tpuan fine do forziallna; conno feipuđ in tpuan
beipuif fine .i. in toťtmađ puann dec in orba uili.

Μα αἰτίτιν flata a haonup gabur forziallna, ocuf if beo
élo, if leť ođib anoiif, .i. tpuan ocuf tpuan leťi in tpuan fin
do cētziallnu, ocuf da tpuan leťi tpuan da forziallna, .i.
nomuđ in orbu uili; no dono if leť a cōtu ma maipb éli.
Torpuifḡ do forziallna a beo éluđ do gner.

Μα haítitiν fine aenup no a flata a haenup gaburo for-
ziallna, ocuf if maipbeluđ, if tpuan cōta in tí deatnann oi
forziallna .i. nomuđ in orbu uile.

Μα in αἰτίτιν inoiif gabur forziallna, ocuf if maipbeluđ,
if feipuđ choťu cechťuif de do forziallna .i. tpuan tpuan, no
nomuđ in orbu uili, ocuf if tpuan áēť feipuđ tpuan, in oťtmuif
dec in orbu uile, cuif cheťťuif de řum. If leť ḡađ cōtu po řaiḡ
fine in ḡađ gne oib po uili do řuacihne poḡlu.

¹ *One half is given to both*, i.e. is divided between both, half the land of the fugitive tenant is given to the two chiefs; but not in equal proportions; for the chief who took first 'giallna'-securities gets $\frac{1}{5}$, and the chief who took the second

If it be with the cognizance of the tribe, and the chief who has taken the first 'giallna'-securities has taken the second 'giallna'-securities, and life-absconding has taken place, then the chief who took the first 'giallna'-securities shall obtain one-third, the tribe half one-third, and one-third of this half *shall be given* by them to the chief who took the second 'giallna'-securities, and one-third of the other half *shall be given* by the tribe to the chief who took the first 'giallna'-securities, so that the chief who took the second 'giallna'-securities gets the third of the tribe's one-third, which is the one-ninth of all the land, and the chiefs obtain two-thirds of the third of the share of the tribe.

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If the tribe only is cognizant of it, and that life-absconding has taken place from the chiefs, then the chief who has taken the first 'giallna'-securities gets one-third, the tribe half one-third, and two-thirds of the tribe's half-third goes to the chief who took the second 'giallna'-securities; so that the part which the tribe shall obtain is one-sixth of one-third, i.e. one-eighteenth of all the land.

If the chief alone is cognizant that second 'giallna'-securities have been accepted, and life-absconding has taken place, one-half is *given* to both of them,¹ i.e. one-third and one-third of one-half of that one-third to the chief who took the first 'giallna'-securities, and two-thirds of half one-third to the chief who took the second 'giallna'-securities, i.e. the one-ninth of the whole land; or else it is half his (*the fugitive's*) share if death-absconding has taken place. Addition is *given* to the chief who took the second 'giallna'-securities in cases of life-absconding at all times.

If the tribe only or the chief only is cognizant that second 'giallna'-securities have been accepted, and that death-absconding has taken place, one-third of the share of the person who has absconded is *given* to the chief who has taken second 'giallna'-securities, i.e. one-ninth of the whole land.

If with the cognizance of both *tribe and chief* second 'giallna'-securities have been accepted, and death-absconding has taken place, the sixth part of the share of both is *given* to the chief who took the second 'giallna'-securities, i.e. the third of the third, or one-ninth of the whole land, and one-third minus one-sixth of one-third—the one-eighteenth of the whole land—is the share of each of them. It is half the share that comes to the tribe in each of all these cases for trespass-damage.

¹'giallna'-securities $\frac{1}{3}$, both added together = $\frac{1}{2}$ of the whole land. The remaining half of the fugitive's land belonged to his tribe.

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TENURE.

‘Dligid cach ber o biuc co moir.

.1. ma damu fuil ag in flait, ir ann ir coir i noul do caitium in bio celgine in tan ir cutruma in biað celgine ocuf biathuð na daime. Maí luða in dam, a dam do breið do ler, ocuf beð doib irið cu tair doib in biað do caitium. Ocuf dia rucurð imurcurð daime ler in flait, no ba gleið tap in nruic do flait an imurcurð daime berur co tið in éile, ocuf ireðh ir oir imrðaur fpuí tpuá anbrólaib flaita.

Ocuf mup do doirnuinn.

.1. far loin, .1. don cer tona; aurf eirde dligur cenn in baili ona cpercinib bití imin clochtoirichit fuiridgur o duirn, .1. amuil in mup ata on aircinnuich don cairleoip, .1. mup ler don in dligur inri chopuicup in cloch o duirn. Fir in baili dligur aifill loin cach maíre muirpithur irin mbaili, ocuf mup do cer loin a leéit do tabuip ler in mbiað ar mer annro, ocuf mup depeg doirum, ocuf nochá nfuil cinnuð meoigácta fairpide.

Ar a chopur fpu tuait.

.1. do fuba ocuf do fuba, ocuf geall tap a ceann amuig, .1. cupub é do rata geall tap a ceann cið fpu tuait cið fpu hegluip.

Luíu laime fir do domuigcuf dia tigt.

.1. orolué lutun on fir do ní in tomur o laim ina tigt mbairgiun, .1. leðpat buna in litanain, no in talc medonach irin mer ele.

O'D. 1074. [Cach biað cona díli, cona romillí, cona flaine do bpu. Caé necubur cona dípe, ocuf a fuilliuð, ocuf a rmaélaib. Cach naninraic nanfoit cona diablað aith-

He (*the chief*) is entitled to every 'food'-rent from small to great.

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TENURE.

That is, if the chief has parties of *visitors*, it is right for him to go with them to consume the food of tenancy when the food of tenancy *due to him* is equal to the food which the party requires. If it be less, he is to bring his company with him, and they are to remain at the house until they finish the food *due*. And if the chief should bring too large a company with him, it would be 'feeding beyond honesty' on the part of the chief to bring excess of company to the house of the tenant, and it is right *for the latter* to separate from him in consequence of the indigence of the chief.

And a piece of *fleshmeat* to handwork.

That is, the rump steak, i.e. of the 'ces' of the hind part ; for this is what the head of the village is entitled to from the cabins around the stone bridge which he erected with his *own* hand ; such as the bit that is due from the 'herenach' to the stone-mason, i.e. the thigh steak, which is due to the person who dresses the stone with his hand. The head man of the village is entitled to the thigh or hip steak of every head of cattle that shall be killed in the townland, and a similar piece of the 'ces' of the rump shall be given along with the food upon a dish here, and a piece of that shall be given to him, but its size is not defined.

For his law towards the territory.

That is, for service of attack and defence, and a pledge for him outside, i.e. it is he that shall give a pledge for him, whether to the laity or the Church.

A man's little finger measures it in thickness.

That is, the breadth of the little finger of the man who measures it with his hand is the thickness of the cake, i.e. the breadth of the little finger at its root, or of the middle joint of the other (*next*) finger.

Every food *to be conveyed* to the house in its integrity, in its sweetness, in its soundness. Every dishonesty *shall be visited* with 'dire'-fine, and addition, and 'smacht'-fines. Every impropriety of

¹CAIN, GENA, MANA POLLAICTEP TPE EIPTEP. IPE BEP AEN CINUTOA
AIGILLNE, OR LAW OF IN PO FOLOMZ, AF A MIAT.

1. *inad* *tucad* *in* *biad* *reapb* *no* *reathad* *don* *plait*, *muna*
fiuir *in* *ceile*, *ocur* *ni* *fiuir* *in* *plait*, *ir* *plan* *don* *ceile*, *aic* *biad*
uada *ar* *uide* *ice* *doiir*, *ar* *ceire* *lathie*.

1. *inad* *tucad* *in* *biad* *reapb* *no* *reathad* *don* *plait*, *muna*
fiuir *in* *ceile*, *ocur* *ni* *fiuir* *in* *plait*, *ir* *plan* *don* *ceile*, *aic* *biad*
uada *ar* *uide* *ice* *doiir*, *ar* *ceire* *lathie*.

(*arising from*) inadvertence *shall be visited* with double restitution, unless it has been caused by neglect. This is the food-rent by which one of the tribe is sustained, according to his dignity.

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TENURE.

Every food, i.e. of all these. In its integrity, i.e. that it be not stolen. In its sweetness, i.e. that it be not bitter. In its soundness, i.e. that it be not mawkish. Every dishonesty, i.e. every part of it which is stolen. With 'dire'-fine, i.e. with honor-price. Addition, i.e. restitution. 'Smacht'-fines, i.e. the 'cumhal.' Every impropriety, i.e. every impropriety which one commits through inadvertence, i.e. a joint which fell off the litter between the two houses, there is double for it. With its double, i.e. with its double from him, if it should not arrive in the morning. Unless it (*the impropriety*) has been caused by neglect, i.e. unless it has been neglected through pride, or through neglect of duty. By neglect, i.e. through neglect of service. This is the food-rent, i.e. this food which we shall mention hereafter is the noble lawful food which sustains the one who is of the tribe, according to his dignity.

Every food in its integrity.

That is, that it be not stolen *food*, i.e. if stolen food has been given to the chief, if neither of them knew of it, unless it has been consumed, he (*the chief*) shall return the food to the original owner, and the tenant shall render the food to the chief in four days.

If he has consumed it, it creates a claim of restitution from him, and the tenant is free for having given it, for he did not know that it had been stolen.

If the tenant had known that it was *got by* theft, and the chief had not, if he (*the chief*) has not consumed it, he (*the tenant*) shall pay restitution in honest food, with its double, a 'cumhal' and honor-price; and if it be the choice of the chief to separate, he may separate from a disqualified 'daer'-stock tenant, and he does not deem it a less offence than returning *his stock* out of contempt.

If he (*the chief*) has consumed it, this founds a claim of restitution from him, but double half-seizure and honor-price shall be paid to him.

If the chief had known that it was stolen, whether the tenant knew it or not, there is nothing due from the tenant to the chief.

In its sweetness.

That is, if bitter or mawkish food was given to the chief, if the tenant did not know of it, and the chief did not know of it, the tenant is free, but so as he gives other food in proper course of payment, i.e. in four days.

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TENURE.
—

Maó ro fíctir in celi, ocuṛ nī fíctir in flaitḥ, muna ro chaith, aithgín bíó ṽlígēig co na diablaó oic ríṛ, cumal ocuṛ ein eclunna. Ma ro caít in flait in biaó, ṽeibíó ṽreim aítgína do in biaó ro caít, ocuṛ letṽabail diabulṽa bíó ṽlígēig oic ríṛ, cumal ocuṛ ein eclunna.

1n mbuíó tuc in celi linn no biaó fearb no rceṽach don flaitḥ, írēó íṛ eicin a ríṛ ina tṽebuíb-ṽlígēṽeḥa no inṽlígēṽeḥa, co fṽromao no cin fṽromao do ríṽgneó hé. Maṽ a tṽebuíb ṽlígēṽeḥa, cu fṽromao, íṽlan aít aithgín mbíó inṽruic ar uíre íce óoir.

Maṽ a tṽebuíb ṽlígēṽeḥa, can fṽromao, no tṽebuíb inṽlígēṽeḥa go fṽromao, íṛ cumal ocuṛ diablaó. Maṽ a tṽebuíb inṽlígēṽeḥa cen fṽromao, íṛ cumal ocuṛ diablaó ocuṛ eni eclunna, ocuṛ a roṽa do in biaó rachur do ar ceṽre laíte, ocuṛ linn ar cuic laíte dec; no ma leṽaó co tucṽur bbíao ocuṛ linn do in aonṽéṽ ar cuic laíte dec. No dono cepe inaó 1 nṽerṽao, ma tṽerna, íṽlan, cepe inaó 1 nṽerṽao, maíne tṽerna co ríṛ a inṽlígíó rṽe na ṽabairṽ don flaitḥ, íṛ cumal ocuṛ diablaó ocuṛ ein eclunna.

Cach naninnruice nanroic.

.1. cumao nī tuitēó ṽe íṽir ṽa tech inro, .i. cach eirinnruic do nī nech tṽe anṽaitṽeṽ, .i. aígṽe do tuit don eṽair íṽir ṽa tech, diablaó ocuṛ ein eclunna inn.

1n tairgí íṽir ṽa tech, aít ma do roét aígṽe a comait tṽrath fṽir, íṛ aithgín ann co na diablaó. Muna tṽoraét aígṽe a comait tṽrath fṽir, ocuṛ nī tṽe eirṽir no polṽaígṽeó, íṛ aithgín ocuṛ diablaó ocuṛ cumal. Máó tṽe eirṽir no polṽaígṽeó, íṛ aithgín ocuṛ diablaó ocuṛ cumal ocuṛ ein eclunna. No dono, cin co tṽoraét aígṽe a comait tṽraṽ fṽir, aít ma do roét ríṽa maíṽin, íṽlan. Munu tṽoraét ríṽa maíṽin, ocuṛ nī tṽe eirṽir no polṽaígṽeó, íṛ cumal ocuṛ diablaó. Máó tṽe eirṽir no polṽaígṽeó, íṛ cumal ocuṛ diablaó ocuṛ ein eclunna.

¹ *Food*. The word for food, ‘biaó,’ is spelled generally with one b; but in the MS. there is one b at the end of one line, and the full word ‘biaó’ at the beginning of the next line.

² *Safe*, i.e. the tenant is quit, or free from fine or penalty.

If the tenant knew of it, and the chief did not, unless he had consumed it, restitution in lawful food, with its double, shall be paid to him, *also* a 'cumhal' and honor-price. If the chief has consumed the food, the food which he has consumed founds a claim of restitution from him *to the rightful owner*, and double half-seizure of lawful food, a 'cumhal' and honor-price shall be paid to him *by the tenant*.

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When the tenant has given bitter or mawkish ale or food to the chief, it must be ascertained whether it has been manufactured in the lawful or unlawful houses, with proof or without proof. If it was in the lawful houses, with proof, he is free, but he shall give restitution in proper food in proper course of payment.

If it was in lawful houses, without proof, or in the unlawful house, with proof, *the penalty* shall be a 'cumhal' and double. If in the unlawful houses, without proof, it (*the penalty*) is a 'cumhal' and double and honor-price, and he (*the chief*) has his choice whether it is food that shall be sent to him in four days, and ale in fifteen days; or food¹ and drink together in fifteen days. Or, indeed, *according to others* wherever made, if sound, *the tenant* is safe, or wherever made, if not sound, with knowledge of illegality before giving to the chief, it (*the penalty*) is a 'cumhal' and double and honor-price.

Every impropriety of inadvertence.

This is when a part of it falls between two houses, i.e. every impropriety which one commits through inadvertence, i.e. for a joint which fell off the litter between the two houses, there is double and honor-price *to be paid* for it.

As regards the joint which fell between the two houses, provided that a joint of equal goodness with it has arrived at the time of the feast, there shall be due restitution for it with double. If a joint of equal goodness has not arrived at the time of the feast, and if it was not through contempt it was neglected, it (the penalty) shall be restitution and double and a 'cumhal.' If it was through contempt it was neglected, it (*the penalty*) shall be restitution and double and a 'cumhal' and honor-price. Or, indeed, if a joint of equal goodness has not arrived at the time of the feast, provided it arrives before morning, he (*the tenant*) is safe.² If it has not arrived before morning, but it was not through contempt it was neglected, *the penalty* shall be a 'cumhal' and double. If it was through contempt it was neglected, it (*the penalty*) shall be a 'cumhal' and double and honor-price.

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1n tairge ior da tech, aét ma do ruacét aige a comait don
flait cu trath feiri iplan. Mainne toracét annfein, ocuf do
ruacét mar aon re fuigell ar maitein, i' diablaó ocuf noóo nfuil
ni i' mo ina rin ann, no copo fuirgizthur tre faill fpuichnuma;
ocuf o fuirpachthur, i' cumal ann ocuf diablaó ocuf einelunn.
No dono éna, i' diablaó ann ma do ruacét trath feiri, ocuf muna
toracét ann fein i' cumal ocuf diablaó; do ruacét mar aon re
fuigell ar maitein, ocuf mainne toracét, i' riach faille fpuichnuma
ann o rin amach, cumal ocuf diablaó ocuf einelunn.

O'D. 1075. [Aḡ loigse meich, oét nḡuirn a timcomac, plan o cull,
la blihtu i feor, do emeat a da lon a dia arainn, acht
mod fortaillainn tri meir, nacha traththa teiom fith-
nairi na galair, acht aidoir rruir i nalair; ocuf tarpu
loigsi meich lair, naoi nḡuirn a for, airtem a leithet
acrai iar nairthur, doru leithet acrai a nairthur, tri
uirn a leithet ar a medon, tri meir a tiget a medon;
ocuf miach brachā, do brach eorua a ardrreichem;
talman do mintrire tri mecon, cona tur, techta airthair
in tri laithe a mi marpa.

Aḡ loigse meich, .i. aḡ dano loḡ miach cruineaceta, rreapall
a loḡ ocuf tri ramairi a rath. A timcomac, .i. a timceall in aige.
O cull, .i. o buain ar. La blihtu, .i. cōmumaid do rru na buaid
bleaceta ac gleit in feoir. Do emeat, .i. do emeat no tuisit a da
lon a da arainn. Fortaillainn tri meir, .i. meir no, naó, .i. inaó
cinn tri meir i' rreó ro dicitinn a bit do caé arainn oib, .i. tic meó ar
a arainn lethet tri meir. Nach traththa teiom, .i. nocu millenn in
teiom, .i. bpuir na galair nairni bi uirru. Acht aidoir, .i. acht
inacéó rruir hualé he; in tuac da marbaó. Tarpu loigsi meich,

As to the joint *which fell* between the two houses, provided that a joint of equal goodness was brought to the chief at the time of the feast, he (*the tenant*) is safe. If it had not arrived then, but arrived along with the remnant in the morning *the penalty* shall be double, and there shall be no more than that *imposed* for it until a delay of payment has occurred through neglect of service; but when it is so neglected, there shall be a *penalty* of a 'cumhal' for it, and double and honor-price. Or, indeed, there shall be double if it arrived at the time of the feast, and if it did not arrive then, it (*the fine*) shall be a 'cumhal' and double; if it arrived along with the remnant in the morning, and if it did not arrive, there shall be fine for neglect of service from that out, *i.e.* a 'cumhal' and double and honor-price.

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A calf of the value of a sack, eight hands in girth, sound after being made a bullock, which grazes along with the milch cows, whose two haunches reach his two kidneys, except the breadth of three fingers, not killed by fairy-plague or *other* disease, but slaughtered by the person by whom it was reared; and a *pig's* belly worth a sack, nine fists in length, a fist with the thumb extended being the breadth of its fork in front, a fist being the breadth of its fork behind, three fists being its breadth in the middle, three fingers its thickness in the middle; and a sack of malt, of barley which grew in rich land; and a sack of meal of the level land of three roots, with its manure, which was lawfully ploughed three days in the month of March.

A calf of the value of a sack, *i.e.* a calf whose value is a sack of wheat worth a 'screpall,' and the stock *for which it was given as rent* was three 'samhaise' heifers. In girth, *i.e.* the round of the calf. After being made a bullock, *i.e.* after being cut. With the milch cows, *i.e.* he is equal with the milch cows in feeding on the grass. Reach, *i.e.* his two haunches reach or extend to his two kidneys. The breadth of three fingers, *i.e.* the breadth or the space, *i.e.* the breadth of three fingers at their points is what is wanting of their reaching each kidney of them, *i.e.* fat has grown on the kidneys to the breadth of three fingers. Not killed by fairy disease, *i.e.* plague has not destroyed it, *i.e.* it had not a broken kidney, or disease of the kidney. But slaughtered, *i.e.* but it was killed by the person by whom it was fed; the hatchet has killed it. A belly

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.1. ʒanað ʒoʒ miað ber ʒiu ʒeʒʒepall. ʒiʒtem, .i. aʒiʒu ʒe inʒem a
eiri ʒaiʒ, in oʒu aʒ a ʒinn ʒuaʒ anaʒʒe. ʒʒui, .i. in baill aʒ
coʒaʒʒe ʒeaʒʒo in ʒaʒia iaʒ naʒʒeʒ iʒiʒ ʒa ʒoiʒ ʒinn na muice.
ʒoʒu, .i. maʒʒoʒu. ʒʒai a naʒʒeʒ, .i. iʒiʒ a ʒa ʒoiʒ ʒona.
ʒʒoʒʒeichem, .i. aʒ na ʒʒenʒeimniʒʒa aʒ in ʒaʒman aʒʒo ʒuʒaʒo
ʒeaʒʒe aʒ. ʒona ʒuʒ, .i. ʒona ʒuaʒ ʒʒiʒʒe aʒ a ʒoʒuʒ.]

.i. ʒiʒ ʒo ʒeʒa ʒo na ʒuill aʒʒ aʒʒ ʒʒuibaill aʒ in aʒ ʒo, oʒuʒ
ʒo ʒuillʒ ʒa ʒʒuibaill aʒ in ʒaʒʒ in ʒa beʒaʒ he, ʒiʒ ʒʒuinn, ʒiʒ
ʒoiminn he? Iʒ e ʒaʒ ʒoʒeʒa, ʒe maʒbaʒ aʒa in ʒaʒ ʒʒuinn ann
ʒo, oʒuʒ iʒe meʒ a ʒoʒʒe ʒe maʒbaʒ in ʒʒuibaill. Re ʒeʒaʒ aʒ
imʒuʒʒo aʒa in ʒaʒʒ, oʒuʒ iʒ e meʒ ʒʒiʒʒe aʒʒ ʒeʒ a maʒuʒ aʒ
in ʒa beʒuʒ he .i. ʒeʒuime ʒʒin in ʒaʒʒa, ʒa ʒʒepuill eʒeʒ
maʒa ʒo ʒeʒiʒu ʒʒuipuill ʒiʒeʒ; oʒuʒ in ʒa ʒʒuipuill ʒeʒna aʒ
o beʒʒeʒ e ʒuʒ in ʒamuʒ iʒ neʒa; oʒuʒ iaʒ ʒeʒuʒ ʒemaʒ ʒo
ʒiʒiʒ ʒʒuibaill hi, ʒo mbeʒiʒ ʒain aʒ in ʒaʒʒ in ʒa ʒo beʒʒa e;
no ʒono, ʒona beʒ aʒʒ aʒʒ ʒeʒ a maʒaʒ ʒeʒ, .i. ʒʒepuill oʒuʒ
ʒa ʒʒian ʒʒuipuill.

O'D. 1076-
77.

[ʒʒaich ʒʒi ʒoʒʒiʒeʒ: ʒa ʒo naʒʒi 1 ʒoʒʒ, oʒuʒ ʒʒi ʒa
ʒoʒ ʒiʒuʒʒuʒ, oʒuʒ noʒaʒ a ʒomʒʒaʒ ʒo ʒoʒʒiʒe,
oʒuʒ ʒʒi ʒa oʒuʒ ʒeʒa aʒʒi beʒ ʒeʒeʒʒa ʒo ʒuaʒ-
ʒabaʒ in a ʒoʒaib, oʒuʒ ʒoʒʒiʒeʒ a ʒoʒaib ʒen ʒiʒaʒ,
oʒuʒ in a imʒuʒaib iaʒ na ʒiʒaʒ ʒo ʒiʒʒaʒ.

ʒʒaich ʒʒi ʒoʒʒiʒeʒ, .i. ʒʒi ʒuʒʒi a ʒaʒ, .i. ʒʒi ʒuʒʒi aʒʒna .i.
aʒ ʒʒi ʒuʒʒi inʒaʒʒeʒ a ʒenam ʒo ʒʒiʒeʒ. ʒa ʒo naʒʒi, .i.
ʒaʒʒe aʒʒna ʒi a ʒuʒʒi. ʒʒi ʒa, .i. ʒaʒʒe ʒo ʒeʒʒ aʒʒna aʒ ʒuʒʒi
a ʒuʒʒi ʒi. Noʒaʒ, .i. noʒaʒ ʒaʒʒa ʒain, ʒeʒʒ ʒaʒʒe aʒʒna uile
ʒain. ʒʒi ʒa, .i. aʒʒna. ʒeʒa aʒʒi, .i. iaʒ nʒeʒʒaʒ a ʒuʒʒe
ʒi, iaʒ mʒuʒ in neʒʒ biʒ uʒʒu, ʒiʒ ʒuʒʒe ʒiʒ aʒbaʒ. ʒo ʒuaʒʒabaʒ,
.i. ʒeʒuʒ ʒoʒbaʒʒe hi in a ʒoʒaib; ʒeʒʒ ʒaʒʒe aʒʒna aʒuaʒ uile ʒomʒe ʒeʒ.
ʒuʒʒiʒeʒ, .i. ʒuʒʒi aʒʒna. 1 na imʒuʒaib, .i. iaʒ nʒenam imʒuʒe ʒi.

¹ *The fist with the thumb extended.* Estimated as six inches.

² *Flat fist*, i.e. the fist being clenched, not like the 'airdem,' which has the thumb extended. The 'maeldorn' is four inches, the 'airdem' six inches.

worth a sack, i.e. worth a sack of the value of half a 'screpall.' A fist with the thumb extended,¹ i.e. it is the higher by having its handle out of it, i.e. the thumb extended over it. Of its fork, i.e. of the place where the belly was cut in front between the two fore feet of the pig. A fist, i.e. the flat fist.² Its fork behind, i.e. between the two hind legs.³ Which grew in rich land i.e. which came out of high rich land, that its strength might be the better. With its manure, i.e. with its lawful manure upon it in the harvest time.

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What is the reason that there is but one 'screpall' for this calf, and that there are two 'screpalls' for a calf on the day on which it is calved, whether it is male or female? The reason of it is, because this bull calf is to be slaughtered in this case, and a 'screpall,' is the estimation of its value for being killed. But the heifer calf is to be spared, and the lawful estimation of its value is the one-twelfth of the value of its dam on the day on which it is calved, i.e. the fourth of the third of the milk, which is two 'screpalls' if the cow be of the value of twenty-four 'screpalls;' and it is of the same value of two 'screpalls' from its birth till the next November ensuing; and it is the opinion of lawyers that if the cow should be worth only twenty 'screpalls,' that the calf would be estimated at the said value of two 'screpalls' on the day on which it was calved; or, according to others, it would be estimated as of the twelfth of the value of its own mother only, i.e. a 'screpall' and two-thirds of a 'screpall'.

Malt of three fortnights: a day and a night steeping, and three days dripping, and nine days lying under its covering, and three days and three nights it shall lie exposed until it is raised in sods, and it should be a fortnight in sods without being raked, and in ridges after being raked until it is dried.

Malt of three fortnights, i.e. thrice five days its age, i.e. thrice five natural days, i.e. in thrice five natural days it is undertaken to make it lawfully. A day and a night steeping, i.e. a natural day in water. Three days, i.e. a natural day and a half in dripping its water off. Nine days, i.e. nine artificial days, these make in all seven artificial days. Three days, i.e. natural days. Three nights, i.e. after stripping its covering off it, after taking what was over it off it, whether straw or corn. Until it is raised, i.e. before it is taken up in sods; all the foregoing amount to ten natural days. A fortnight, i.e. thrice five natural days. In ridges, i.e. after making ridges of it.

³ Hind legs, literally bottom legs. The fore legs are called by the Irish 'corra cinn,' i.e. head legs.

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Co tiriatar, .i. cu cruataigter hi cuicéi aicintá rann, ocuṛ laithe aicintá tob rin di ina potaib iar na toebail riaru cirtair hi, ocuṛ tṛi laithe aicintá di ina imairib iar na cirta riaru cruataigter hi; ocuṛ a cirta na nimairib rann cach lae, ocuṛ laiti aicintá re cruatugao, ocuṛ na cuic laithi aicintá ro riu na doic laithib aicintá atriubrumair romairn, conno cuic laiti dec aicintá rann uile re berugao na bráca o do beratar uirce uirre, no co tair a cruatugao; ocuṛ no con niniṛ re airéi re hupluma o rann amairh, áct in re ar a tair a 'dennu amair' ber ail don ti do dena.

Tṛi focail for braithe; focul fair iar na tirta cen bleith; focul fair iar na bleith do gniether tairtin de, co rinnatar a blar ocuṛ a rlane; focul for braithe liṛ riaru do cae for dertu. Mana airigter fair ir in tṛeide reo, niriṛ meth forrin ceili de, ma clair airgu; oiliṛ nachair berua aithgin fṛu eiric on ceili cia do ragba airgu.

Iar na tirta, .i. iar na cruatugao gṛainne di ro iacail tuṛ in bi maith a boloch, .i. tuṛ i mbi maith a folao. Cen bleith, .i. reṛiu meitṛer hi. Á blar, .i. narab reairb. Á rlane, .i. narab reathach. Braithe liṛ, .i. fon ngne cetna. Niriṛ meth forrin ceili de, .i. rmaith, .i. in cumal. Ma clair, .i. ma clair in ceile cia tṛebann don lino, no ni tabar aoe forr in rlaith cen a hic ma arberu ni tia bu. Oiliṛ, .i. ir oiliṛ don ceile co na tabar aclair reach air, in hic eirce riu in rlaith, se oigbair in airgo torubrumair romairn, conao arberu in aithgin oigter in rlaith in mbair ir a tṛebail oigtecha co rromao do rinneoi hi.]

Tṛi focail for braithe.

.i. ma ir na tṛebail oigtecha ocuṛ rromtar a airé, ocuṛ ni rairigter fair, ir rlan don ceile, áct co tair linn ar cuic la dec ocuṛ biao on tṛaith co rairle. Muna tair, ir cumal. Muna hairigter forr hairige, oirli cumal don rlaith, ocuṛ biao ocuṛ linn ar in cetnu.

Until it is dried, i.e. until it is kiln-dried for five natural days, and it is one day of these in sods after its being taken up before it is raked, and it is three natural days in ridges after being raked before it is dried; and it is raked in ridges every day, and a natural day is required to dry it, and these five natural days being added to the ten natural days which we said before, make fifteen natural days for improving the malt after the water is put on it, until its drying is finished; and no particular time is mentioned for preparing it from that out, but the time in which the finishing takes place depends upon the person who makes it.

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Three tests concerning malt; one test for it after being dried without being ground; another test for it after being ground *before* it is made into a cake, that its taste and soundness may be known; and a test for the mash before it is put to ferment. If no *unsoundness* is perceived upon it in these three *tests*, no *fine for failure* shall lie against the tenant for it, if he sues for test; but even though the test be applied, it is right that the restitution with 'eric'-fine shall nevertheless be paid by the tenant.

After being dried, i.e. after being hardened (*kiln-dried*) a grain of it is *put* under the tooth to know if its smell is good, i.e. to know if its substance is good. Without being ground, i.e. before it is ground. Its taste, i.e. that it may not be bitter. Its soundness, i.e. that it may not be mawkish. The mash, i.e. in the same way. No *fine for failure* shall lie against the tenant, i.e. 'smacht'-fine, i.e. the 'cumhal'. If he (*the chief*) sues, i.e. if he sues the *tenant* for what is wanting of the ale, or if any part of the *supply* of food be defective, he (*the tenant*) cannot avoid paying it to the chief. It is right, i.e. it is right towards the tenant that he be not sued for debt, *but he is to pay* 'eric'-fine to the chief, though the tests which we have mentioned be wanting, but there shall be no deficiency in the restitution to which the chief is entitled, when it (*the malt*) was made in the lawful houses with proof.

Three tests for malt.

That is, if it was in the lawful houses *it was made*, and the tests were applied, and nothing *wrong* was perceived, the tenant is safe, but so as he supplies ale in fifteen days and food from day to day. If he does not, it (*the fine*) is a 'cumhal'. If the tests have not been applied to them, a 'cumhal' is due to the chief, and food and ale in the same manner.

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Μυνα προμήταρ α hairiγτε ιρ διλιρ mbið, ocur biað maith do ταιριuc, ocur cumul.

Μαὸ α τρεabuib inoлигтсhуib, ocur ppoмтhуp α hairiγτι, ocur ni hairiγтhуp olc poрpуib, ιρ διλιρ in biað rin, ocur biað maith do ταιριuc, ocur cumul, ocur muna ταιρι, doρli cumul eile. Όια hairiγтhуp, beipγ in cele α biað, ocur do nen λeγpαch, .i. λeγloγ emuch ocur cumul, ocur biað do ταιpeέταιn don pλaιt; ocur muna ταιpe doρli cumal.

Μυνα προμήταρ in αιριthe, doρli loγ nenech ocur cumal, ocur biað maith do ταιριuc, ocur ιρ διλιρ in mιoсuиpи do зpеp.

Τρι pocuil poр бpαich.

.i. τρι προμαio, .i. οια προμήταρ ιρ na τpeбaιb e ιpλaн, cið ulc ιapдaиn. Μυνα προμήταρ, ιρ διλερ cia po caiti. Όa micuиpи do биуð, ocur cumal. Sic dono ιρ na τpeбyиb inнoлигтeя co ppoмтhуp; muna ppoмтhуp inнтiбpиðe, ιр cumul ocur eиneclunn ocur διλιρ cia po chaithe. Όa mιðchуиpи do биуð.

Μaиnι αιριγтhep пaиp in тpeйðepo, .i. 1 τpeбyиb oлигтeя aтa po. Όia ppoмтhуp, ιpλaн, cið olc ιapдaиn. Maиne ppoмтhуp, ιр διλερ cia po caithуp; όa micuиpи do биуð γpλ. Cαch ni epбaðach don биуð punn do бepтhуp aиyиl ιр beip in poпaиp тip, ocur cαch бaαl¹ aтa in inuyиpуиð punn, ni don poпaиp epбyр, ap uy cαth; ocur in пaиn γaðaт na бiaтa ipиn mбoиn coпa poпaиp, ιр 1 пaиo do пaтh бiaр opα.

O'D. 1077-78.

[Όγ loige da miach, plan o cull, comgleith do ppu blichtu o toрach paмpαio co τaιpбeнað do pλaιth; deich nδuиpи α тaиcomaс; do emeaт α da lon α dia apaiиn

¹ баal. The first a is at the end of a line in the MS. and the second a begins the next line. The word is usually баal.

² Proved, i.e. by the evidence of proper witnesses.

³ Described, i.e. in treating of the calf worth one sack.

If the *undergoing of the tests* has not been proved², the food is forfeited, and good food shall be supplied, and a 'cumhal' paid as a penalty.

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If the malt was made in unlawful houses, and the *undergoing of the tests* has been proved, and no unsoundness was perceived, that food is forfeited, and he (*the tenant*) must supply good food, and pay a 'cumhal' as fine, and if he does not, he incurs a fine of another 'cumhal.' If *unsoundness* has been perceived, the tenant shall obtain his food, but he pays half fine, i.e. half honor-price and a 'cumhal,' and food is to be supplied *by him* to the chief; and if he does not, he incurs a fine of a 'cumhal.'

If the *undergoing of the tests* be not proved, he incurs honor-price and a fine of a 'cumhal,' and he shall supply good food, and the bad ale is always forfeited.

Three tests for malt.

That is, three proofs, i.e. if it be proved in the *lawful* houses he is safe, though *it turn out* bad afterwards. If it be not proved in the *houses*, it is forfeited, though it was consumed. *This applies to the food as well as the bad ale*, and a 'cumhal' fine must be paid. Thus also in the unlawful houses until it is proved; if it be not proved in them, there are due a 'cumhal,' and honor-price, and forfeiture, though *the things* are consumed. *This applies to the food as well as the bad ale.*

If nothing *wrong* has been perceived upon it in these three tests, i.e. this applies to the *lawful* houses. If it is proved, he (*the tenant*) is safe, though *it turn out* bad afterwards. If it be not proved, it is forfeited, though it has been consumed; *this applies to the food as well as the bad ale, &c.* Whatever is deficient of the food in this case shall be supplied as is said of the accompaniment below, and wherever there is excess here of *this*, a part of the accompaniment shall be wanting, for it came short; and the proportion which the foods bear to the cow with its accompaniment, is the proportion of stock which shall be due of them.

A calf of the value of two sacks, sound after castration, which grazes with milch cows from the beginning of summer until it is exhibited to the chief; ten fists are its girth; its two haunches cover its two kidneys in the same way as *before described*³, sound, of

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pon coir cetna, rlan, socurp, rubaid, sogelta, cona
tairbenað; ocur da miach bracha lair do brach
inraic; ocur tinne da mer do miter itir a tiug ocur
a tana, da doirn itir ocur a tiug, a do itir ocur a tana,
da mer itir ocur eipe a droma, oét nðuirn a fot, ocur
ceitju duirn a leithit o deilinz co treichium; ocur tri
meich tarra; ocur imglaiice do cainnlib, ocht nðuirn
a fot do toimrib laime techta ril rru meru ocur
toimriu.

Ας λοιγε da miach, .i. ας θανα λοξ da rrepall, .i. comgnao in
tas ro ocur in molt, .i. tri ba a rath in aige reo, ocur naoi ramairci
a huprec, ocur don aen cinet do bepar hi. O cull, .i. o buan ar.
Co tairbenað, .i. don rlaith i naimir gempit. Deich nðuirn,
.i. ina timcell im a boilgen. Do emeat, .i. mair ioubnumar
romano. Pon coir cetna, .i. mox for tallano tri mer. Slan,
.i. cen galap. Socurp, .i. marh a corp, .i. meth. Subaid, .i. railit,
.i. rodentaid. Sogelta, .i. im dagreor, .i. marh gelep in per. Cona
tairbenað, .i. don rlaith. Da miach bracha, .i. do brach oligtis.
Tinne da mer, .i. dia tigeat, .i. da rrepall ar riu. Do miter, .i.
ir ann toimrigter a tigeat. Da doirn itir, .i. itir i rail i tomairter
he. Eipe a droma, .i. i rail a teretar he aca oruim. O deilinz,
.i. o muic da hal, .i. da bliadain. Co treichium, .i. co tri hal, .i. tri
mbliadain, .i. irin tper bliadain marbtar. Tri meich, .i. cruithnechta.
Rru meru, .i. cia ba riu, .i. ril rru tomur do rper mer. Toimriu,
.i. cia ba mer.]

Ας λοιγε da miach.

.i. ας θανα λοξ da rrepall. Ceðruime ratha aipe ro, ocur
ceðruime biata uada rom dono, .i. tri ba a rat in aige reo,
ocur naoi ramuirce a turereic.

In tas loiγi da miach, ni ragabur a turereic i lebriuð, aét in
cutruma ata ar in molt cona forair aipe, ocur imupriuð do
robiaðaid for aon rir in ας loiγi da miach.

¹ Salt pig. 'Tinne.' Bacon or salt pork.

² Hand. The hand was a standard measure.

good body, well formed, well grazed, to be exhibited; and two sacks of malt with it of pure malt; and a salt pig¹ measuring between its thick and its thin two fists, between this and its thick two, and two between it and its thin, two fingers between it and the cut of the back, eight fists its length, and four fists its breadth, from a two year old pig to a three year old pig, and three sacks of wheat; and a handful of candles, eight fists in length of the measures of the legitimate hand² which is *used* for estimating and measuring.

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A calf of the value of two sacks, i.e. a calf the value of which is two 'screpalls,' i.e. this calf is of the same value as the wether, i.e. three cows is the stock, for this calf, and its proportionate stock is nine 'samhaisc'-heifers, and it is given to the last surviving *of the tribe or family*. After castration, i.e. after being splayed. Until it is exhibited, i.e. to the chief in the winter time. Ten fists, i.e. in girth around his middle. They cover, i.e. as we have said before. In the same way, i.e. there is a space in which three fingers would fit. Sound, i.e. without disease. Of good body, i.e. its body is good, i.e. fat. Well made, i.e. pleasant, i.e. well formed. Well grazed, i.e. with good grass, i.e. he grazes the grass well. To be exhibited, i.e. to the chief. Two sacks of malt, i.e. of lawful malt. A salt pig *measuring* two fists, i.e. in thickness; i.e. two screpalls its value. Measuring, i.e. it is there its thickness is measured. Two fists between, i.e. between in the place where it is measured. The cut of the back, i.e. the place where it is cut at the back. From a two year old pig, i.e. a pig of two litters, i.e. of two years. To a three year old pig, i.e. of three litters, i.e. of three years, i.e. in the third year it is killed. Three sacks, i.e. of wheat. For estimating, i.e. what the value is, i.e. which is for measuring according to estimation. Measuring, i.e. what the size may be.

A calf of the value of two sacks.

That is, a calf the price of which is two 'screpalls.' The fourth part of the stock which he has *received* for this *return*, and one-fourth of food is given by him, i.e. three cows is the stock *which has been given* for this calf, and nine 'samhaisc'-heifers its proportionate stock.

As to the calf of the value of two sacks, its proportionate stock is not found in books, but the proportion that is for the wether with its accompaniment, *is observed* with regard to it, and the excess *is made up* in minor foods *which are given* along with the calf worth two sacks.

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Ciú ro dera co na fuil aét da rcrepall ar in aš ro, ocuŕ co fuilit tŕi rcrupail ar in moŕt tuar, ocuŕ curub inann rač doib? Iŕe in rač rodera, imurcruió do romiaóab do beruŕ leiŕ in naš ŕunn don ŕlaic̃ i naimŕiŕ ġeimŕiğ; ocuŕ don cineo do beruŕ hé.

O'D. 1078-
79.

[Alŕ loiŕe tŕi miach, do doŕn dec a timcomac, ŕlan dia comaróa, comŕleit̃ do ŕŕi bu blichtu o toŕach ŕampŕaio co tairbenaó do ŕlaic̃ i naimŕiŕ ġeimŕió, a tairbenaó cach techta, co na meŕaib ocuŕ a toimŕib, co na ŕoclaiŕ techtaiŕ; ocuŕ tinne tŕi meŕ iŕiŕ a tiuğ ocuŕ a tana, ocht nōuiŕn a ŕot, ceithŕi ŕuiŕn a leiŕit̃, o ŕeling co tŕechium, ocuŕ tŕi meich ŕŕacha do ŕŕaich techta; ocuŕ leč meich tairŕai; ocuŕ imŕlaice do cainnlib ocht nōuiŕn a ŕot.

Alŕ loiŕe tŕi miach, .i. ŕe ba a ŕach in aige ŕeo, .i. ŕe ba a tŕaŕec ocuŕ tŕi rcrepail a ŕi, ar iŕ aŕ colŕaio ŕe rcrepail hé, uaiŕ nocon fuil ŕailtine aice, ocuŕ do ŕiŕ mióbaó do berar. Tŕi miach, .i. cŕuiŕhnechta. Slan, .i. o buan ar. Comŕleit̃, .i. acŕleit̃ in ŕeoŕ. Al tairbenaó, .i. amail ŕleŕar. Cona meŕaib, .i. tŕi rcrupail. Al toimŕib, .i. na da doŕn dec. Co na ŕoclaiŕ, .i. aét moŕ ŕoŕ talŕann tŕi meŕ. Tinne, .i. ina ŕiget. Iŕiŕ a tiuğ ocuŕ a tana, .i. iŕ ann toimeŕteŕ hé. ŕeling, .i. muc da bliat̃an. Tŕechium, .i. muc tŕi mbliat̃an. Ochť nōuiŕn, .i. cachā camŕole.

Alŕ loiŕe ceithŕi miach e, colŕach ŕiŕenn, ceithŕi ŕuiŕn dec a toimŕib techtaiŕ a timcomac, do eŕna ŕlan ina ŕaŕtaóar, do emet a da lon a dia aŕaŕnn, comŕleit̃ do ŕŕi bu blichtu cona tairbenaó, cen ŕuba

¹ Above. The article referred to is wanting in both copies of Cain Aigillne, in H. 3, 17, and H. 2, 15. A fragment of the article is quoted from the back of p. 226 of H. 2, 15, but its accompaniment or *obsonium* alone is there described.

What is the reason that there are but two 'screpalls' for this calf, and that there are three 'screpalls' for the wether above referred to, and that the stock given for them is equal? The reason is, because the excess is made up in minor foods which are given along with the calf here to the chief in the winter time; and this is given to the family.

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A calf of the value of three sacks, twelve fists in girth, sound equally *after castration*, which grazed with milch cows from the beginning of summer until it is presented to the chief in the winter time, to be presented lawfully, with the estimations of the value and measurements, with its lawful tests; and a salted pig of three fingers between its thick and its thin, eight fists its length, four fists its breadth, from a two year old pig to a three year old pig; and three sacks of malt—of lawful malt; and half a sack of wheat; and a handful of candles eight fists in length.

A calf of the value of three sacks, i.e. six cows is the stock for which this calf was given, i.e. six cows its proportionate stock, and its value is three 'screpalls,' for it is of the age of a 'colpach'-heifer of six screpalls, for there is no expectation of young from it, and to a lowest man in the tribe it is given. Three sacks, i.e. of wheat. Sound, i.e. after being splayed. Which grazes, i.e. grazing the grass. Presented to the chief, i.e. as is lawful. With its estimations, i.e. three 'screpalls.' Measurements, i.e. the twelve fists. With its tests, i.e. the space which three fingers would measure. A salted pig, i.e. in thickness. Between its thick and its thin, i.e. it is there (in that point) it is measured. A two year old pig, i.e. a pig of two years. A three year old pig, i.e. a pig of three years. Eight fists, i.e. the length of each candle.

A calf of the value of four sacks, a male two years old, fourteen fists its lawful measurement in girth, which escaped safe *after castration* in its state of a 'dairt'-bullock, whose two haunches cover its two kidneys, which grazes along with the milch cows until it is presented, without any injury from disease;

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ηγαλαρ; τρι meich b'pacha cen on cen ainim ap a cuilliu epic do flaitch, ocur tinne tri mer a mbun laime, ap ip ipin alt me'donach cach tomur co'pe anal, itip a tiug ocur a tana, ocht n'duirn a pot, ocur ceithri duirn a leithit; ocur leth meich tapra; ocur da im-glaici do cainnib co na toimrib techtaib.

Αἰς loige ceithri miach, .i. ceithri p'pail ip riu, da ba dec a t'p'p'ec, .i. cura riu let na bo ap a'pe da p'p'macht p'nn, .i. da ba dec pat in aige p'eo, .i. ap p'ma'p'ce, uair nocon pail p'aitin'e aice, ocur do o'ap'ug do b'p'ap. Col'p'ach p'p'enn, .i. col'p'ea'og, ip'e p'p'enn, no p'ob p'p'enn he in a'col'p'ag. S'lan, .i. o buain ap. Cen p'ub a, .i. can galap da p'oiuba. Cen on, .i. im e'p'p'ib. Cen ainim, .i. im p'ceat'ag. A'ra cuilliu, .i. up'e'uill'ep co na b'ia epic ann don flait o b'ia'p am'laio rin. Tinne tri mer, .i. in a'ig'et. A mbun laime, .i. a mbun mer na laim; ip ann toim'p'ep i'ao. Cach tomur, .i. tomur na p'ail'e ocur na tinne. Itip a tiug, .i. ip ann toim'p'ep he. Leth meich, .i. ep'uit'ne'et'a. Do cainnib, .i. amail a du'p'ma'p p'oiann.]

Αἰς loige pe miach.

.i. let pat a'pe po, tuilleo p'p co p'ois let na bo ann, ocur do b'ia'uib in tuilleo.

O'D. 1079-
80.

[Do cona p'p'ap, p'iche do'p'n a tim'comac, ann'lan'p'p' p'at'p'p'p' do t'p'p'p' ap'p'p; ocur tinne laime in alt a mbon'p'p'ib mer do laim p'p' toim'p' techta, itip a tiug ocur a tana, ocht n'duirn a pot, ocur ceithri duirn a lethet; ocur ocht meich b'pacha do b'p'ach in'p'ac, cen on, cen ainim, ap a cuilliu epic do flaitch co na ap'ug'ib co'p'ib; ocur miach ep'uit'ne'et'a ep'ua'io in'bi'o; ocur tri im'g'laice do cainnib cona toim'p'ib techtaib, ocht n'duirn a pot cach i'cha'p'na, ap a leth a bun ca'ca

three sacks of malt without fault or blemish which would incur 'eric'-fine to the chief; and a salted pig of three fingers at the root of the hand, for this is the average of every measurement hitherto *mentioned*, between its thick and its thin, eight fists in length, and four fists in breadth; and half a sack of wheat; and two handfuls of candles with the lawful measurements.

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A calf of the value of four sacks, i.e. its value is four 'screpalls,' twelve cows are its proportionate stock, i.e. that it is worth half the cow is the reason that it (*the proportionate stock*) is increased here, i.e. twelve cows is the stock for *which* this calf *was given*, i.e. it is of the age of a 'samhaisc'-heifer, for there is no expectation of *young* from it, and it is to an 'ogaire'-chief it is given. A male two years old, i.e. a young two-year old, it being a bull, or it was a bullock when a two-year old. Sound, i.e. after castration. Without injury, i.e. without having been emaciated by disease. Without fault, i.e. as to bitterness. Without blemish, i.e. without mawkishness. Which would incur, i.e. it is prohibited that the chief shall have 'eric'-fine for it when it is so. A salted pig of three fingers, i.e. in its *average* thickness. At the root of the hand, i.e. at the root of the fingers of the hand; it is there they are measured. Every measurement, i.e. the measurement of the bacon and the salted pig. Between its thick *and its thin*; it is there they are measured. Half a sack, i.e. of wheat. Of candles, i.e. as we said before.

A calf of the value of six sacks.

That is, half stock is *given* for this, and addition is made to it until it amounts *in value* to half the cow, and the addition is in articles of food.

A cow, with its accompaniment, twenty fists in girth, whose fat is one-third of its weight; and a salted pig of *the thickness* of a hand at the roots of the fingers of the hand of a lawful measurer, *at an average* between its thick and its thin, eight fists its length, and four fists its breadth; and eight sacks of malt—of pure malt, without fault, without blemish, which would incur 'eric'-fine to the chief, with its proper tests; and a sack of good dried wheat; *and* three handfuls of candles of the lawful measurements, eight fists in the length of each rush-light, and the

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, rínnne iar na airdbe cutrúma ghraine ríurí tomirter
orolach; tumuó na cainnell a gair ocuŕ urcca in
carra.

Do cona forair, .i. ceithrí ba fichet a raé ro, ocuŕ ocht foripail
ir riu hi, .i. aer bo mlaigi reo, ocuŕ do boaire do bepar. Cona
forair, .i. cur inni forfoirneiter le do biadaib aile. Al timcomac,
.i. aia timcél. Do truan, .i. do truan ar meiti uiriu. Tinné
laime, .i. bar a tiset a tinné. In alé a mbonnaib meŕ, .i. ir ann
tomirter hi riu in tinné. Do laim riu toimri techta, .i. do laim
in ti do ni in tomur cu oligé. Ioir a tiug ocuŕ a tana, .i. ir
ano tomirter he. Do braithe inraic, .i. oligé. Cona airtigéib
coirib, .i. ir coraiti hi a ríomac in a hairigéib, ut ríomur.
Míach cruithnechta, .i. ina ghran. For each itharra, .i. for
eacha cainnli oib iar na roinn da oluigi do éur iéa inni. Iar na
airdhe, .i. iar na tereac. Cutrúma ghraine, .i. comot in ghrainne
eorna teit a tomur in orolach i mbun eacha rínni. Tumuó na
cainnell, .i. ar na ragbaiter ac in éile, ocuŕ na rúca in plait léir.]

Do cona foruir, fiche doru a timcomac.

.i. ceithrí ba fichet, ocuŕ each baile ir bec in reoil ir mor in
forair, .i. aor bo innlaige ro, ocuŕ do boaire do bepar. In
baile i riu in bo ocuŕ tricha crob ina tacmair, bo blit iré,
ocuŕ bo géite in bo rin inora, ocuŕ cinné tomur aia uirre; no
dono, ir inann in fiche doru ro ocuŕ in tricha bar tall i mbre-
thuib neime, .i. ceithre ba fichet i rath ro, ocuŕ óc foripail
ir riu hi, .i. aor bo innlaigi reo, ocuŕ do boaire do bepar; ocuŕ
cemaó e in ghrac ir irli do gebaó in rath ro, cona tirta ro coruib
ime, acé a artuó air, uair ir rath amuil follo, a deir oligé
ann.

O'D. 1080. [Aŕ loige meich, for fulucht a rampaó, ocuŕ aŕ
loige ceithrí míach, inbraithe a rampaó, ocuŕ leith

¹ *Measured*, i.e. it is at the roots of the fingers the breadth of the palm is taken for this measurement.

root of each rush after being cut being equal to the grain by which the inch is measured ; the candles to be dipped in tallow and the grease of the flesh meat.

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A cow with its accompaniment, i.e. twenty-four cows is the stock *given* for her, and she is worth eight 'screpalls,' i.e. she is of the age of an in-calf cow, and to a 'bo-aire'-chief she is given. With its accompaniment, i.e. with the thing which is given in addition along with her of other sorts of foods. In girth, i.e. in her round. One-third, i.e. one-third of fat upon her. A salted pig of the thickness of a hand, i.e. a palm is the thickness of the salted pig. At the roots of the fingers, i.e. it is there it is measured with the salt pig. Of the hand of a lawful measurer, i.e. of the hand of the person who measures it lawfully. Between its thick and its thin, i.e. it is there it is measured. Of pure malt, i.e. lawful. With its proper tests, i.e. it is the more proper by having been proved by its tests, ut diximus. A sack of wheat, i.e. in grain. The length of each rush light, i.e. the length of each candle of them after being divided to be peeled for putting grease into it. After being cut, i.e. after being stripped. Equal to the grain, i.e. of the length of the grain of barley which is used in the measure of the inch in the root of each rush. The candles to be dipped, i.e. that they may not be left to the tenant, and that the chief may not take them away with him.

A cow twenty fists in girth, with its accompaniment.

That is, twenty-four cows is the stock, and wherever the flesh is small in quantity the accompaniment is great, i.e. this is when the cow is of the age of an in-calf cow, and to the 'bo-aire'-chief it is given. Where the cow is mentioned as thirty hands in her girth, she is a milch cow, and she is a grazing cow now, and a fixed measurement is upon her; or else, indeed, these twenty fists are equal to the twenty hands mentioned in the 'Bretha Neimhe,' i.e. the stock *given* for this cow is twenty-four cows, and her value is eight screpalls, i.e. she is of the age of an in-calf cow, and to the 'boaire'-chief she is given; and though it should be one of a lower grade that receives this stock, the contract cannot be impugned, but it is fastened upon him, for the law says in this case, "The stock is as the property."

A calf of the value of a sack, to be roasted in the summer, and a calf of the value of four sacks, to be boiled in the summer, and half a salt pig the accompaniments of a male 'colpach'-



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Sic.

tinne annlanḁtur colpaige fipinne, ocur molt linaf
cach toll, ocur cairc lulaice lan do lemnacht, do
bpuith do millren co nimim ro perra, ocur lan ueine
tri nol do uachtar tar, cīd a tri la ocur teora
nairdchī, cen foḁana na ruba and, acht la co nairdchī iar
na toirceidī fria focul, co neperar de na bi goirtai
inni olbui ane; ceitheora bairgena fichet do ban fuine,
ocur im da doru a leithet, ocur doru a tige; ocur
ceithri imglaii laime toimri techta, ocur a do do glar
cainninḁ, ocur a do do borpulur dor a mber; muc nae
nḁuipn a rot, da mer dia derg cum, ma i ngempuḁ;
ocur ag da miach for fulucht.

Ag loise ceithri miach, .i. iḁ fū tri fepuill, .i. ag dano loḁ
ceithri meich, ocur a tabairt fēic, iar na mbuīt, ipin tḁamparo.
Molt linaf, .i. biḁ ma maḁar da bponoīt. Cairc lulaice, .i. iḁ fū
lulaid. Tri nol, .i. fēine. Foḁana, .i. in meḁg. Fria focul, .i.
don flait. Da mer, .i. da mer ma tige a fbaīl ma tērcar hi, ocur
hi derg.

O'D. 1081. Caire turcraic cach bera o bicc co mor, ar coir for
caē nḁaro, ar ni torḁaib nach dīrcor na maḁ? Mīdeḁ
cach a coir ar a torḁaba a mama.

Caire turcraic, .i. caiti in craic toirneḁ naḁa do bera do caē
ḁaro iar fū, ar caē mbiaḁ uair oib ro. Turcraic, .i. na naḁa ro
fū. O bicc, .i. in biachad cērcar. Co mor, .i. in bo co na forar.
Ar coir, .i. ar coir do tabairt do caē nḁaro. Ar ni torḁaib,
.i. uair noco torḁabann, nocon fūgabann in ti ar daercor, can toēur,
can inḁracur, naē mor do gabail ipin naḁ. Mīdeḁ, .i. meipemnaigeo
caē a hinne inni iḁ coir do gabail ipin naḁ. Torḁaba, .i. ar a
torḁaba in mouga, no in ḁneim rognuma olegar de.

Sic.

Turcraic aige loise meic cona forar, ocur
fūfūpuḁ triḁ i rampuḁ, ocur mancuine .iii. e teora

¹ *Accompaniment, (Fosair),* means everything necessary to be used along with
the cow, such as bread, herbs, bacon, &c., &c.

heifer, and a wether which has filled every hollow, and a milch cow's cauldron full of new milk, to be boiled to cheese curds with butter, and the full of the pan of three drinks of fresh cream, *which was formed* in three days and three nights, without thinness or injury, but *delivered* a day and a night after its being tested by the proper test, which proves that it is not bitter; twenty-four cakes of woman-baking, being two fists in breadth, and a fist in thickness; and four handfuls of lawful measurement, and two handfuls of green garlick, and two of green leeks, with its fruit; a pig nine fists in length, two fingers in the lean of it, if in winter; and a calf *of the value* of two sacks for roasting.

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A calf of the value of four sacks, i.e. which is worth three screpalls, i.e. a calf whose value is four sacks, and this is to be rendered, after being boiled, in the summer. A wether which has filled, i.e. which is filled in its intestines, &c. A milch cow's cauldron, i.e. *a cauldron* which is worth a milch cow. A *pan* of three drinks, i.e. *of the Feini*. Thinness, i.e. the whey. By the proper test, i.e. for the chief. Two fingers, i.e. two fingers in its thickness, where it is cut, and it being lean.

What is the proportionate stock for each food-rent from small to large, which is proper *to be given* to each grade, for no pauper takes the large? Every one estimates his right according to the nature of the service he undertakes.

What is the proportionate stock, i.e. what is the relieving fee of stock, which is given to every grade according to truth, for every noble food of these. Proportionate stock, i.e. these stocks down here. From small, i.e. the food for four persons; To large, i.e. the cow with her accompaniment.¹ Which is proper, i.e. which is right to be given to each grade. For no *pauper* takes, i.e. the person who is low, without wealth, without honour, does not attempt or undertake to receive much as stock. Is estimated, i.e. everyone estimates from his wealth what it is right to receive as stock. He undertakes, i.e. for which he has taken up the engagement, or the claim of service which is due of him.

The proportionate stock of a calf of the value of a sack with its accompaniment, and refectations for three persons in the summer, and work for three days, is

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ramairci, no a log, cenmotha reotu turlauidhe caih
fo miao, ocur gairced ocur mancuine ire ber poloing
perdomun inrin. Ní techta fair ní ber mo, acht
manora a athair fuam, ar ní ruca.

Turcheire, .i. in creic toirnead do beper ar in ag dano loz miae,
cuy inni porporitititer leir do diaoib aile. Fuiririuo trir .i.
aen fear co cenn tri la, no triar i naen lo, .i. poirneugao biaa triar i
ramrao. Mancuine, .i. in fear caa ramairce do bepar ir in raé do
denam in dano no na meithli; a rmaet ar treire, .i. ir ar rin gabar co
na fear caa ramairce olegar irin mancuine, uair tri ramairce a raé
in aige reo ina mancuine in uair fuora a lear, no arm ber riu a
eneegur do cach aen, no ina aenmao rann rchet dia enechlano.
Cenmotha, .i. uair biao re eab rin. Caih fo miao, .i. caic fo
uairleao, .i. ber riu leé nuig conao oi ba for in ag fo. Gairced, .i.
ga ocur reia leir, .i. no olegar in gairced fo la eab caa turcheire do
caé gao. Mancuine, .i. ir e biao uair imruigear damna in rir, .i.
gairg zilla no tamain rir .i. rleacae bir irin domun inrin .i. in
teconach. Perdomun, .i. damna rir, ocur coma da atair do gabao in
raé, no coma in rillaé ril oc gabail ime aoberoar rir a gabail. Ní
techta, .i. noo oigead do a gabail ar ní ir mo na rin. Acht
manora, .i. aet munar hinhraigo a aear da gabail noime fuam,
uair maor gabraide he, buo eicen doam in pozna do denum, no in raé
warrec uao. Ar ní ruca, .i. uair ní beireno a calao.

O'D. 1082. Turcheire muilte cona forair .ui. ramairci, no a log
cenmotha reotu turlauidhe, ir e ber poloing aen cinno
inrein. Ní techta fair ní ber mo, ar ní ruca.

Cona forair, .i. leir do diaoib aile. .ui. ramairci, .i. teora ba.
Cenmotha reotu, .i. cenmué na reoit do bepar ar cloatair, uair
biao re eab rin. Ire ber poloing, .i. ire biao uair imruigear in
taen bir don éniu in ní rin. Ní techta, .i. noco oigead do a gabail
ar ní ir mo na rin. Ar ní ruca, .i. noco beireno a calao.

¹ *Blush-fine*, is a fine imposed for injuring, or raising a blush on, the face.

three 'samhaisc'-heifers, or their value, besides the returnable 'seds' to each according to his dignity, and valour and attendance are the food-rent to which the minor submits. It is not lawful to impose on him a greater one, unless his father before him had incurred it, for he could not bear it:

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Proportionate stock, i.e. the relieving fee which is given for the calf which is worth a sack, with the quantity of other foods required along with it. Refections for three persons, i.e. *for* one man to the end of three days, or *for* three men for one day, i.e. what is sufficient to feed three persons in the summer. Work, i.e. the man for every 'samhaisc'-heifer which is given as stock *is furnished in order* to erect the 'dun'-fort or to work at the harvest; the fine for it is to be paid in three days; i.e. the reason that a man for every 'samhaisc'-heifer is due for the work, is because the stock *for which* this calf is due is three 'samhaisc'-heifers *which are to be supplied* for his work when he shall require them, or when they amount to each one's 'blush'-fine,¹ or the twenty-first part of his honor price. Besides, i.e. because they shall be along with these *foregoing*. Each according to his dignity, i.e. each according to his nobility, i.e. they are worth half an ounce, so that two cows are given *as stock* for this calf. Valour ('gaiscedh'), i.e. he has a spear ('ga') and a shield ('sciath'), i.e. or the exercise of this valour is due along with every proportionate stock of each grade. Attendance, i.e. this is the noble food-rent which the minor^a bears, i.e. the under-age youth or makings of a man, i.e. the youth who is in the land, i.e. the infant. Minor ('ferdomun'), i.e. the makings of a man, and it was by his father the stock was received, or it was the party who were suing him that told him to take it. It is not lawful, i.e. it is not lawful to lay a heavier imposition upon him. Unless the father had incurred it, i.e. but unless his father before him had applied for and obtained it, for if he had received it, he (*the son*) will be bound to perform the service, or return the stock. For he could not bear it, i.e. for he does not bear its severity.

^aIr. Mak-
ings of a
man.

The proportionate stock of a wether with its accompaniment, six 'samhaisc'-heifers, or their value besides the returnable 'seds', is the food-rent which the sole survivor submits to. It is not lawful to impose on him a greater one, for he could not bear it.

With its accompaniment, i.e. along with it a supply of other foods. Six 'samhaisc'-heifers, i.e. three cows. Besides the returnable 'seds', i.e. besides the 'seds' which are given to be returned, for they shall go along with these. Is the food-rent which the sole survivor submits to, i.e. this is the noble food-rent, which the one remaining of the tribe sustains. It is not lawful, i.e. it is not lawful for him to take upon him more than this. For he could not bear it, i.e. he does not bear its severity.

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Cio fodepa conio mo rath in aen cinio runn ina rat in ecod-
nais romainn, ocur conio mo in tothcur romainn? 1r e rat
fodepa, mo tic don aen cinio fognam do denum da curp don
rlait, cio uat dech a tothcur, ina don ecodnach romainn.]

Τυρρηεic μυιλτ.

Sic.

.1. τρι γρηβυιλ 1r ριυ έ, ocur τρι βα α rath, no ceitre γρη-
bυιλ 1r ριυ molt cana aigillne. On aen chined ata in fognum ro,
ocur teopa ba do ogaire, ocur nochu narluigunn oligeo por in
aen chinuo ni 1r moa ina rin do gabail a rath; ocur dia ro
gabao ni 1r mo ina rin, tiucfuit a chinu ρui, no a coibdealuig
ρui; ocur nochu namuil tarba don rlait rath do tobairt do
munu tair atgin a ratha do, uair nochu nruil aice epod, na
inbleoguin ar a taruigthur.

O'D. 1082. [Τυρρηεic παρταδα cona φοραιρ, da pet dec. 1r e
ber foloinz per miodao in rein. Ni techta ρair ni
ber mo.

Παρταδα, .1. ag τρι miach. Cona φοραιρ, .1. cur in ni φορ-
ποιρηνιςτερ le do biatib aile. Da pet dec, .1. da ρathairc dec
da tecat ρe ba. Foloinz per miodao, .1. cumao in per miodao
1r ρερρ po gabao cuice.

Cio fodepa conio mo rat in ρir miodao 1r τairi, ocur conio
ecodnac he, ina rath in aencinuo romainn. 1r e rat fodepa,
ata ρine ac in ρir mioduo do gni fognum da ρia aley, ocur no
con uil acon aen cinuo.

¹ *Three cows.* In O'D. 261, the reading runs somewhat differently, as follows:
—" .1. ρe ba a rath in aige ρeo ocur τρι γρηρυιλ α ριυ, apur aep
colpuige ρe ρeoir he, uair nochu nruil ρailtinco aicce, ocur don ρir miod-
buid do berap," i.e. six cows is the stock given for this calf, and its value is three

What is the reason that the stock of the sole survivor here is greater than the stock of the infant mentioned before, and that the property in the case before is greater? The reason is, the sole survivor has it more in his power to do service with his body for the chief, though his property has left him, than the infant before mentioned.

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The proportionate stock of a wether.

That is, three 'screpalls' is the value of it, and three cows are the stock *given* for it, or the wether of the 'Cain Aigillne' is worth four 'screpalls.' This service is due of the last survivor, and three cows to the 'ogaire'-chief, and the law does not require of the last survivor to accept of more than this as stock; and if he should receive more than this, his tribe shall oppose him *in the matter*, or his relatives shall oppose him; and it is of no advantage to the chief to give him stock unless he (*the tenant*) gives him restitution of his stock, for he has neither property, nor kinsman-surety to draw upon.

The proportionate stock of a 'dartadh'-heifer with its accompaniment, is twelve 'seds.' It is the food-rent which the man of the lowest class in the tribe submits to. It is not lawful that more should be *imposed* upon him.

Of a 'dartadh'-heifer, i.e. a calf of *the value of* three sacks. With its accompaniment, i.e. with the complement of other foods given along with it. Twelve 'seds,' i.e. twelve 'samhaise'-heifers which amount to six cows.¹ Which the man of the lowest class in the tribe submits to, i.e. it is what the best man of the lowest class in the tribe submits to.

What is the reason that the stock of the inferior man of the lowest class in the tribe is greater, he being an infant, than the stock of the sole survivor mentioned before? The reason is, that the man of the lowest class in the tribe has a tribe who would perform service *for him* if required, but the sole survivor has not.

'screpalls,' for it is of the age of the 'colpach'-heifer of *the value of* six 'seds,' for there is no expectation of *young* from it, and to the man of the lowest class in the tribe it is given."

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Τυρρεϊεὶς colpaise firinne .uī. reotu dec, no α λοξ,
cenmotha reotu turclaiδε. 1r e ber foloing ocairis
in rein.

Colpaise firinne, .i. ceitri rcrepall. .uī. reotu dec, .i. ocht
mba ocyr ocht ramairce, da tecait da ba dec.]

.i. curub riu let na bo, 1r aipe do pormaet runn, .i. ceitri
rgrpuill 1r riu, ocyr do ba dec rath in aige ro, .i. aer ramuirge,
uair noch a rpuil railtinée aice, ocyr don ogaire do berur.

O'D. 1083. [Τυρρεϊεὶς bo cona timtach tricha ret, cenmotha
reotu turclaiδε. 1r e ber foloing boaire in rein.

Tricha ret, .i. da tecait ceitri ba rchet, .i. oet mba dec ocyr da
ramairc dec. 1r e ber, .i. 1r e biad uair foloing boaire in ni rin.

Ocyr da ngaba gnao dib rair imarcpaio tap na neichib rin
atrubrumur romuino, tecar ro coraib ime amuil caea noochur.
No dono ceana, cema he in gnao 1r 1rli dib conicpaio in rath
1r mo do gabail, cona tirtea ro coruib ime, aet a artu aip, uair
1r rath amuil folo a oligeo ann.

Τυρρεϊεὶς biata cethrair bo, cenmotha reotu
turclaiδε caich ro miao; por cetgiallna.

Por cetgiallna, .i. do rlaie cetgiallna.

Τυρρεϊεὶς biata ochtair da ba, cenmotha reotu

The proportionate stock of a 'colpach'-bull is sixteen 'seds,' or their value, besides the returnable 'seds.' This is the food-rent which the 'ogaire'-chief submits to.

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Of a 'colpach'-bull, i.e. worth four 'screpalls.' Sixteen 'seds,' i.e. eight cows and eight 'samhaise'-heifers, which come to twelve cows.

The proportionate stock of a 'colpach'-bull, i.e. which is worth half the cow, and for this reason the increase is here, i.e. its value is four 'screpalls,' and the stock for which this calf is due is twelve cows, i.e. it is of the age of a 'samhaise'-heifer, for it has no expectation of young, and to the 'ogaire'-chief it is given.

The proportionate stock of a cow with its accompaniments is thirty 'seds,' besides the returnable 'seds.' This is the food-rent which the 'bo-aire'-chief submits to.

Thirty 'seds,' i.e. which amount to twenty-four cows, i.e. eighteen cows and twelve 'samhaise'-heifers. It is the food-rent, i.e. this is the noble food-rent which the 'bo-aire' chief submits to.

And if any grade of these should receive excess above these things which we have mentioned before, their contracts shall be impugned like every wrong contract. Or, indeed, if the lowest grade of them shall be able to receive the larger stock, his contracts shall not be impugned, but they shall be rendered binding on him, for he is entitled to stock according to his property.

The proportionate stock of the food of four persons is a cow, besides the returnable 'seds' of all according to their dignity; *these are to be given to the chief who got the first security.*

To *the chief who got the first security*, i.e. to the chief who got the first 'giallma'-security.

The proportionate stock of the food of eight persons

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τυρcluide. *Óilur do ceilib ocur dia comorbuib reoit*
 τυρcluide ocur rath tar airuib, acht fpirpognat a
 plaithe, nacha rubat, nacha pomrat, nacha torc-
 riasat, na dornat acair a mbair.

Τυρρεοις βιατα οχταιρ, .i. ιρι ρεο ρρεοις τοιριεθεε do bepar ar
 biathaó in óetair. Rath tar airuib, .i. tar iarainuib, in imarpario
 do bepar ar in rath ar in urainuib, ar inuib urain. Acht fpir-
 pognat, .i. áet cup pognat a plaiti cu dligéde imin mbiathaó ocur
 imin manchuine teachta. Nacha rubat, .i. na dornat guin na
 plaeta. Nacha pomrat, .i. na dornat a mbuat. Nacha torc-
 riasat, .i. na dornat ρρεοις ιρ tar daperat do gabail o plait éetpano.
 Na dornat acair, .i. ar na dornat ein tper a ningsinter a plait
 do barugaó, .i. uil co mnai plaeta éetpann.

Μανι ρο ερα πλαιθ ρεοτυ τυρcluide ιρ óilur τριαν
 na pet iar necaib na platha don ceili, manι ρο me-
 tha fair porr in cele. Cenι ρο biatha eitir, ma ρο
 biatha pa en, ιρ óilep a leth na pet; ma ρο biaeta
 pa di, ιρ óilur a da τριαν na pet; ma ρο biatha pa
 tri, ιρ óilur uili, mana ρο metha fair.

Μανι ρο ερα, .i. eluo elaiter in na petaib τυρcluide, co tecmaic eca
 na plaeta fai iar pain. Ιρ óilur τριαν na pet, .i. ιρ óilep don éeile
 τριαν in paeta iar necaib na plaeta, a duadgur einig na tpebuire, ocur
 nemtabuirt reoit τυρcluide. Μανι ρο metha, .i. ne neloig in a
 petaib τυρcluide. Cenι ρο biatha, .i. cen co dornaiter in biathaó,
 muna éainigaimprr in pognua. Mana ρο metha, .i. mana ρο metha
 air porprrin ceile in pognua do venum, ιρ ano ata pain, .i. cia ρο metha.]

¹ *Two cows.* The commentator in O'D. 261, adds:—"The food for eight per-
 sons is not found *laid down* in books, but double the quantity of food which is for
 four persons is the complement for eight persons."

is two cows,¹ besides the returnable 'seds.' The returnable 'seds' and the overplus food stock are forfeited to the tenants and their heirs, so as they have served their chiefs, so as they have not wounded them, so as they have not betrayed them, so as they do not receive illegal subsidy, so as they have not committed a crime which causes their death.

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The proportionate stock of the food of eight persons, i.e. this is the relieving fee which is given for the feeding of the eight persons. Overplus food stock, i.e. overplus of food, the excess which is given as stock for the surplus food. So as they have served, i.e. but so as they have served their chiefs lawfully respecting the lawful food and work. Have not wounded, i.e. so as they have not wounded the chief. Have not betrayed them, i.e. that they have not committed a betrayal of them. Do not receive illegal subsidy,² i.e. that they have not dared to receive a fee above 'daer'-stock from an external chieftain. That they have not committed a crime, &c., i.e. that they have not committed a crime through which the chief may be put to death, i.e. to lie with the wife of an external chieftain.

Unless the chief has given the returnable 'seds' the third of the 'seds' is forfeited to the tenant after the death of the chief, unless the tenant has failed to supply the food to him. Though he has supplied the food, if he has supplied the food but once, half the 'seds' are forfeited; if he has supplied the food twice, two-thirds of the seds are forfeited; if he has supplied the food thrice, they are all forfeited; unless there has been a failure.

Unless he has given, i.e. evasion has been made with respect to the returnable 'seds' until the death of the chief *happening* afterwards annuls it. The third of the 'seds' is forfeited, i.e. the third of the stock is forfeited to the tenant after the death of the chief, in right of the honor of the surety, and to *compensate* for the chief's non-giving of the returnable 'seds.' Unless he has failed, i.e. before the evasion of the returnable 'seds.' Though he has supplied the food, i.e. although the food has not been supplied, unless the time of the service had arrived. Unless there has been a failure, i.e. unless there has been a failure on the part of the tenant to render the service, this is a different case, i.e. though he did fail.

² *Illegal subsidy.* In O'D. 261, 'Torchriat' is explained to be that they receive not a reward, which is contempt to him, from an external chief, either of 'saer'-stock or 'daer'-stock, i.e. a 'taircrec' to injure him.

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Muna ro feara flaithe feotu turcluire.

.1. muna eirne in flaithe feotu ar cloitar. Eloð elaithe ime co tecmaice éc na flata fái iar rin, .i. ma flaithe ber maith, .i. trian na ceitri mbo fíchet don boaire íf ferir ina feotuib turcluire, cona diablað.

Trebuire írin corur fine, ocur eloð runn, an oir oíligit trian na tuirceice don ceile iar necuib na flata. Muna ro biathad itir ina beaig, íf a roga in ceile oíligit atá in a trian na tuirceice chuipfer uad, no in ceitri biad. Con da trian in bí do bea do comorba na flatha, muna ro biathad in flaithe itir in tan do bea feotu turcluiche ocur tuirceice. Ocur íf amliúð dono o comorba in boirig do comorbu in airig dea im a rath, muna ro biathad flaithe itir, amuil ro raitrimur, co tobuirte fet turcluire.

Muna ro era flaithe, 7rl, don cele.

Og oíli in ratha ar tri biatuib, su ngabur trebuire, zin tabairte fet turcluire co tecmairin ega na flatha; ocur íf amliúð ro roit ríde, a trian gan biad itir, ocur .ui. ceitir de in da cet biad, cunio trian, ocur trian ar in mbiað ndeginuch a aenur. Og oíli in ratha ar .uii. mbiaðuib, co ngabur trebuire, co tabuirte fet turcluire co teacmairin ega na flata; a letoíli ar .iii. biatuib co leé mbíð; a trian oíli ar da mbiað co trian mbíð.

Oíur trian a fet iar necuib na flatha.

.1. a dualgur eimig na trebuire, ocur nemtabuirte fet turcluire, .i. in boairig íf ferir eluigtur im fetuib turcluire, cona diablað iar neloð do, .i. .uiii. mba; no íf trian in ratha, cio bec cio moir, in telo rin, .i. trian na tuirceice, d'aitheð inoiligir forir in flaithe cin comull na fet turcluire ro i ngeall,

¹ *Victuallings*. "Diatad" means 'eeding' victualling', 'supplying food.'

Unless the chief has given the returnable 'seds.'

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That is, unless the chief has given the 'seds' to be returned. Evasion had taken place respecting them until the death of the chief afterwards interfered with it, i.e. if the chief be substantial, i.e. the third of twenty-four cows *are given* to the best 'bo-aire'-chief for his returnable 'seds,' with the double of them.

The surety in the 'corus-fine,' and the evasion here, both render the third of the proportionate stock forfeited to the tenant after the death of the chief. If no food had been supplied at all during his lifetime, the tenant has his choice either to return two-thirds of the proportionate stock, or *make* four payments of food. It is the two-thirds of the food *due* that must be paid to the heir of the chief, if the chief has not been supplied with victuals at all after he had given the returnable 'seds' and the proportionate stock. And this is the case with respect to the payment made by the heir of the 'bo-aire'-chief to the heir of the 'aire-desa'-chief for his stock, unless the chief had not been victualled at all until the giving of the returnable 'seds,' as we have said before.

Unless the chief has given, &c., to the tenant.

The full forfeiture of the stock is incurred by three victuallings,¹ with taking of security, without giving the returnable 'seds' until the occurrence of the death of the chief; and the way it comes to this is, one-third without any food at all, and one-sixth for each of the two first foods, making one-third *more*, and one-third for the last food alone. The full forfeiture of the stock is caused by seven victuallings, with taking of security, and giving the returnable 'seds' before the occurrence of the death of the chief; half forfeiture for three victuallings and a half; one-third forfeiture for two victuallings and one-third.

One-third of the 'seds' is forfeited after the death of the chief.

That is, in right of the honor of the surety, and the non-giving of the returnable 'seds,' i.e. the best 'bo-aire'-chief is evaded with regard to the returnable 'seds,' so that double is due to him after the evasion, i.e. eight cows; or it is the one-third of the stock, be it large or small, that is *due for* this evasion, i.e. one-third of the proportionate stock, to revenge his illegality upon the chief for not keep-

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conid trian in rathā ar a rḡath, iar tabairt dā biad do, dur in icat in ret turcluidē; cunio reirid in rathā rāgbur fri ceitbur de in dā biad. 'Do ponud etrocuire fri in tref mbiað, cunio trian ocur reiriud in triain ar in mbiað feth cað mbiað, mēo a airille in cele fri in flaitē, ocur pot nā pee rin no polluisurur cen reotu turcluidē do ic; nō dono, iḡ im a loḡ nenech aḡulla in flaitē cona trian nā ceithre mbo ficheo, diablu einelune fāide, iar neloð. Nō iḡ aine deru cu nairrechur eēta bec oca, nō ḡab ceithre bā ficht, cona oēt mbā ocur dā ficht iar neloð; nō iḡ dā bā dec leth rath boaire, ocur ceithre bā a trian; nō dono it re bā don ocaire iḡ fepir, nō teorā bā don ocaire iḡ tairē i lethrath, cona trian nā turceice rin do cach ae ina einelunn, ḡin eloð; nō dono iḡe a etrocuire in tḡleēta ro, cach aen dianu mo a einelunn iar neloð, nō einelunn cen eloð, ina trian a rathā; a trocar mtiðe iḡ luḡu.

Μα πο βιαθα φα οεν friur, iḡ diler leth nā ret. Mað po biatha φα di, iḡ diler a dā trian. Mað po biatha φα tri, iḡ dilur uili, maine po metha fair.

Μα πο βιαθα φα οεν, .i. reirid in dā trian do tuillid tairrech, cona leth ramliud, .i. reirid tormuigur in biad. Leth nā ret, .i. a leth la mbiað, ocur a leth iubaile in triur rin, nō in tḡin rin. A dā trian, .i. trian la fuiridga aenur. Maine po metha, .i. maine po metha por in ceile in poḡnum do denum, iḡ ann ata rin.

Τρι βιαδα iḡ friu feth mbiaða po, ocur a comloḡud on ceile ocur on flait a tabairt i tri peitburab. Τρι βιαδα do rath in ceile

¹ *The sixth of the two-thirds.* Some unaccountable confusion, according to Dr. O'Donovan, has here crept into this commentary. It should stand thus:—

If he has victualled once, i.e. if the tenant has supplied the due complement of food to his chief *once*, it forfeits to him one-half the returnable 'seds.' If he has victualled twice, i.e. this second instalment increases the forfeiture by one-sixth, i.e. one-sixth added to the one-half, which the first instalment merits,

ing his word about the returnable 'seds' which he had promised, so that one-third of the stock is *forfeited* on account of it, after two victuallings had been rendered, to see if he would pay the returnable 'seds;' so that he forfeits one-sixth of the stock by each of the two victuallings. Severity has been exercised with respect to the third victualling, for this food beyond every other food causes a forfeiture of one-third and one-sixth of a third, *on account of* the great desert of the tenant towards the chief, and the length of the time during which he (*the chief*) neglected to pay the returnable 'seds;' or, indeed, it is for his honor-price the chief escapes without *paying a heavier penalty than* one-third of the twenty-four cows, the double of his honor-price, after evading. Or it was the 'aire-desa'-chief with the dignity of the inferior 'aire-echta'-chief, who had received twenty-four cows, which are *increased to* forty-eight cows after evading; or twelve cows are half the stock of the 'bo-aire'-chief, of which four cows are the one-third; or six cows *are given* to the best 'og-aire'-chief, or three cows to the lowest 'og-aire'-chief, as half stock, and the third of that proportionate stock is *due* to each as his honor-price, without evasion; or else the severity of this kind of *law* is in the case of every man whose honor-price after evading, or without evading, is greater than the third of his stock; its leniency is when it is less.

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If he has victualled once, half the 'seds' are forfeited. If he has victualled twice, two-thirds are forfeited. If he has victualled thrice, it is all forfeited, unless any failure has been made by him.

If he has victualled once, i.e. the sixth of the two-thirds¹ which he deserved first, with one-half in like manner, i.e. the food (*i.e. the second instalment*), increases one-sixth. Half the 'seds,' i.e. their half by the food, and half the time of those three, or of that third. Two-thirds, i.e. a third *is forfeited by the third instalment* alone. Unless any failure has been made, i.e. unless there has been a failure by the tenant to perform the service, it is then these are (*i.e. these forfeitures take place*).

These are three victuallings which are worth seven victuallings, and their equivalent is to be given by the tenant and the chief at three different times. Three victuallings the tenant gave here

is two-thirds. If he has victualled thrice, i.e. this instalment of food alone causes the forfeiture of one-third of the 'seds.' Unless any failure, i.e. all these forfeitures will hold good to the tenant, unless he has failed to perform the services due to his lord, as well as to render the proper supplies of food.

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runn don flait, ocuŕ fe ma inoizgeð. Iŕ aine na oizginna a comorba ní on ceili ar meit in lóizti do rígne in ceili rírin flait, uair ní oiz flait ní ðe ocuŕ fe in a inoizgeð; no íŕ tŕi biaða íŕ riu feét mbiada beca, do beŕta do na comorbaib, íŕŕeð do ŕat runn don flait, uair cin co taŕo in flait feoit tŕicluirði, dia mað ŕoŕ taŕŕingaire, no pollaizgeð on ceili no beð, íŕ feét mbiada don comorba, no bið aŕtað don flait; no ce no elaidtea imin ŕeð tŕicluirde, dia nicað in flait ŕŕiŕ ŕiacha inoizgið, no biað bið aŕtað in ceili don flait, no feét mbiaduib dia comorba; tŕi biaða co ngabuð tŕebuine.

Óilur cach tŕicŕeic íar ŕognum techta cen meth, cin pollugað, cen elguin, cin ecell, cen eirlir, co cenn ŕecht mbiadað, mað flait beŕ maŕb. Nimita mað in ceili beŕ maŕb; oizgið in flait ceilŕine dia comorbuib in ceili ar ðe mŕ ŕŕi manchuine, ŕŕi ŕuirŕe, ŕŕi gell, ŕŕi ðail, ŕŕi ðigail, ŕŕi ŕubu, ŕŕi ŕuba.

Óilur cach tŕicŕeic, .i. ŕatha co ŕeota tŕicluirde on flait, .i. íŕ oizŕ gað cŕec toŕŕitniue do ŕað íar noenum imu acht in ŕognuma on cele, .i. ar feét mbiada. [Íar ŕognam, .i. íar noenum in ŕognuma cu oizgeðe don ceile imin mbiathað.] Cen meth, .i. imin mbiad anoleŕta in cumul ðe, .i. aizgin in bið. Cin pollugað, .i. imin mancuine. Cen elguin, .i. im guin, .i. na henecluirde. Cin ecell, .i. im an mbrath. Cen eirlir, .i. cin ailŕeað leŕa na ŕlaða. Co cenn feét mbiadað, .i. íŕ ann íŕ oizŕ. Mað flait beŕ maŕb, .i. íŕ ann ata ŕin; loŕ einue ar aŕuŕin in ðaerŕaiz, cŕo bec in ŕað, ocuŕ bið ŕaŕtað on cele, cŕo bec in ŕað, o do beŕŕa na ŕeoit tŕicluirde. Nimita mað in ceili beŕ maŕb, .i. ní hinunn lium, .i. nocha namliuð ŕin ta. Oizgið in flait ceilŕine, .i. caŕŕe mŕ on flait. Dia comorbuib, .i. co taŕa neétŕa ðe, .i. a innite no cele. ŕŕi manchuine, .i. coimitecta. .i. ŕeŕ gaða ŕamŕŕe 1 ŕloizge. ŕŕi

O'D. 1081.

¹ A man for every 'samhaisc'-heifer.—The tenant was obliged to supply the chief with a man for every heifer which the chief had given him as stock, whenever he required men to reap the harvest, or go on a military expedition.

to the chief, while he was acting illegally. The reason that his heir is entitled to nothing from the tenant is because of the amount of payment which the tenant has made to the chief, for the chief is entitled to nothing from him while he (*the chief*) is acting illegally; or it is three victuallings which are worth seven small victuallings, which should be given to the heirs, which are given here to the chief, for although the chief has not given the returnable 'seds,' though they had been promised, or if neglect had been committed by the tenant, seven victuallings shall be *rendered* to the heir, or he shall be bound to the chief; or though he (*the chief*) should evade as to the returnable 'seds,' if the chief should pay to him (*the tenant*) the fine of his illegality, the tenant shall be held bound to the chief, or to *render* seven victuallings to his heir; three victuallings before his taking security.

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Every proportionate stock is forfeited after lawful service *rendered* without failure, without neglect, without malice, without treachery, without negligence, to the end of seven years, if it is the chief who has died. Not so if it is the tenant who has died; the chief is entitled to service from the heirs of the tenant in two months for attendance, for *supplying the viands* for the banquet, for *redeeming* pledges, for the meeting, for revenging, for service of attack, for service of defence.

Every proportionate stock is forfeited, i.e. the stock with the returnable 'seds,' is *forfeited* by the chief, i.e. every relieving fee given as stock is forfeited after the service has been performed by the tenant, i.e. in *supplying* the seven victuallings. After service, i.e. after the service is done lawfully by the vassal in respect of victualling. Without failure, i.e. as to food for which the 'cumhal' would be due of him, i.e. restitution of the food. Without neglect, i.e. as to the manual work. Without malice, i.e. wounding, i.e. of the honor-price. Without treachery, i.e. as to betraying. Without negligence, i.e. without neglect of the welfare of the chief. To the end of seven years, i.e. it is then it is forfeited. If it is the chief who has died, i.e. it is then it is so; honor-price is *due* on receipt of the 'daer'-stock, be the stock ever so small, and the tenant is bound, let the stock be ever so small, when the returnable 'seds' are given. Not so if it is the tenant who has died, i.e. I deem it not alike, i.e. the case is not similar. The chief is entitled to service, i.e. there is a respite of one month *given* by the chief. From the heirs of *the tenant*, i.e. until either is given, i.e. his cattle or *another* tenant. For attendance, i.e. for accompanying *him*, i.e. a man for every 'samhaisc'-heifer¹ on a hosting. For the banquet,

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բարբրե, .i. բր բարբրեցա ԲԻՐ ԴՈ ՎԱՌԱԻՆ, .i. ԲԻՐՈՆ ՆԱԻՐԻՐԵ. Բր
ջելլ, .i. ըսլ լար ԴՈ ԲԱՐԲՐԵՐՈՆ Ա ԶԻՆ, .i. ԵԱՐ Ա ԸՅԱՆՆ. Բր ՎԱԻՆ, .i.
աեսուճ, .i. ըսլ լար ԴՈ խառ ՎԱՆ. Բր ՎԻՃԱԻՆ, .i. ճրբր բեսուճ.
Բր բսն, .i. բոսե բր բոն օսր ԵԱՆԱՆ օսր ԵՐԻՇԵ. Բր բսն,
.i. բր Լուսթրեա, օսր ԵԸՎԱՅԵ, օսր մաք ԵՐԵ.

ՉԻՐԻ ԻՆ ՐԱԾԱ ԵՐ ԵՐԻ ԲԻՐՈՆԻՆ, ԸՈ ՆՃԱԲԻՐՈՆ ԵՐԵԲԱՐԵ, ԸԻՆ
ԵԱԲԱՐԵ ԲԵՐԵ ԵՐԸԼԱՐԵ ԸՈ ԵԱԸԲԱՐԻՆ ԵԱ ՆԱ ՐԼԱԾԱ .i. ԵՐԻԱՆ,
ՃԱՆ ԲԻՐՈՆ ԵՐԻ, օսր ԲԵՐԵՐՈՆ ԸԵՐԵ ԻՆ ՎԱ ԸԵՐ ԲԻՐՈՆ, օսր ԵՐԻԱՆ
ԵՐ ԻՆ ԵՐԵՐ ՄԲԻՐՈՆ.

ՉԻՐԻ ԻՆ ՐԱԾԱ ԵՐ ԲԵՐՈՆ ՄԲԻՐՈՆԻՆ, ԸՈ ՆՃԱԲԻՐՈՆ ԵՐԵԲԱՐԵ, ԸՈ
ԵԱԲԱՐԵ ԲԵՐԵ ԵՐԸԼԱՐԵ, ԸՈ ԵԱԸԲԱՐԻՆ ԵԱ ՆԱ ՐԼԱԾԱ; Ա
ԼԵՇՉԻՐԻ ԵՐ ԵՐԻ ԲԻՐՈՆԻՆ ԸՈ ԼԵՇ ՄԲԻՐՈՆ; Ա ԵՐԻԱՆ ՉԻՐԻ ԵՐ ՎԱ
ԲԻՐՈՆԻՆ ԸՈ ԵՐԻԱՆ ՄԲԻՐՈՆ.

ԸԻՐ ԲՈ ՎԵՐԱ ԸԻ ԲՐԱԻ ՉԻՐԻ ԵՐԻԱՆ ԻՆ ՐԱԾԱ ԲՈՆՆ ԸԻՆ ԲԻՐՈՆԻՆ,
օսր ՉԻՐԻ Ա ՎԱ ԵՐԻԱՆ ԵՐ ՎԱ ՄԲԻՐՈՆԻՆ, օսր ԸՈ ՆԱԲԱՐԻ ԵԱՆ Ա
ԲԵՐ ԲԵՆԵԱԽԱՐ "ՆԱԸ ՉԻՐԱՐ ՎԱՃ ՐԱԸ ՎԵՐԻ ՆԱ ՐԼԱԾԱ" ԴՐԼ,
ԱԻՐ ԸԻՐ ԴՈ ՐԱԸԱ ԻՆ ՎԱ ԲԻՐՈՆ ԵԱՆ, ՄԱՆԱ ԵԱՐՎԱ ԻՆ ԵՐԵՐ ԲԻՐՈՆ, ՆԻ
ԲՐԱԻ ՆԻ ԱՐ Ա ԲՃԱԸ? ԱԸԱ ԲԻՐՈՆ ԱԸ ԻՆ ԸԵՐԻ ԵԱՆ, օսր ՆԻ ԽԱԻ ԴՈ Ա
ԵԱԲԱՐԵ, օսր ԻՐ ԱԻ ԼԵ ԸՈՄՈՐԲԱ ՆԱ ՐԼԱԾԱ ԻՆ ԲԻՐՈՆ ԴՈ ԵՐԲԱՐԵ
ՎՈՐԻՆ.

ՏՈՆՆ ԻՄԱՐԲՈ ՆԻ ԲՐԱԻ ԻՆ ԲԻՐՈՆ ԱԸ ԱՆ ԸԵԼԵ, ՆՈ ԸԵ ԵԱ, ԻՐ ԸՈՆ-
ՎԵՐԻՆ ԴՈ ՆԻԱ ԵՐԲԱՐԵ; օսր ԻՆ ՐԼԱԸ ԻՐ ՄԱՐԲ ԱՆՆ ԲԻՆ; օսր ՄԱ
ԲԵ ԻՆ ԸԵԼԵ ԻՐ ՄԱՐԲ ԱՆՆ, ԸԻՐ ՄՈՐ ԴՈ ԲԻՐՈՆ ԴՈ ՐԱԸ ՎՈՆ ՐԼԱԾԻ,
ՄԱՆԱ ՃԱԲՈՆ ԵՐԵԲԱՐԵ ԲԵ ՉԻՐԻ ԻՆ ՐԱԾԱ, ՆԻ ՉԻՐԻ ԻՆ ՐԱԸ ԴՈ ՆԱ
ԸՈՄԱՐԲԱԻՆ, օսր ԻՐՈՆ ՎԵՃԱՐ ԸԵԼԵ ԱՐ ՄԻՐ, ՆՈ ԸՈՄԲԱՐԻՆ ՎԻՐՈՆ
ՎՈՆ ՐԼԱԾԻ. ՄԱՐԵ ԻՆ ՐԼԱԾԻ ԻՐ ՄԱՐԲ ԱՆՆ, ԲԻԸ.

O'D. 1085. [ՉԻՐԻ ԸԱԾ ԽԵԱԾ, ԸԱԾ ՐՈՆՆԱԸ, ԸԱԾ ՐԱԻԼԻՐՈՆ,
ԸԱԾ ՐԱԻԼԵՆ, ՐՈՐԱԻԼԵԾ ՐՈՐԻՆ ԸԵՐԻ, ՄԱՆԱ ՐՈՐՆ-
ՃԱՐԵԱՐ ԴՈ ՐԱ ՆԵԱԻՆ, ԱՐ ՄԱՐԲԱԻՐ ԸԱԾ ՄԱՐԲ Ա ԸԻՆԵԱ.
ՉՈ ԲԱ Ա ՐԱԻՆ ՐԼԱԾԱ ՆԱ ԲԻ ԸԻՆ ՐՈՐ ԸՈՄԱՐԲԱԻՆ
ՄԱՆԱ ՐՈ ՐՈՆՆԱԸ ՐԱԸՐԻՆ ԻԱՐ ՆԵԱԻՆ Ա ՆԱԾԱՐ.

¹ 'Feineachus.' Something has been omitted here in the MS., and hence the passage is obscure.

i.e. for supplying food to banqueting parties, i.e. the defined food. For *redeeming* pledges, i.e. to go with him to redeem his pledge, i.e. for him. For the meeting, i.e. of a fair, i.e. to go with him to the meeting. For revenging, i.e. a family quarrel. For service of attack, i.e. to go before him in promontories, and passes, and marches. For service of defence, i.e. against pirates, robbers, and wolves.

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The stock is forfeited for three victuallings, with receiving of security, without giving the returnable 'seds' until the occurrence of the death of the chief, i.e. one-third, without any food *having been rendered*, and a sixth for each of the first two victuallings, and a third for the third victualling.

The stock is forfeited for seven victuallings, with receiving of security, with giving of the returnable 'seds,' till the occurrence of the death of the chief; the half of it is forfeited for three victuallings and a half; the third of it is forfeited for two victuallings and one-third.

What is the reason that the third of the stock is forfeited here without any food at all *being rendered*, and that the forfeiture of two-thirds is for two victuallings, and that it is said elsewhere in the 'Feineachus' "that a good stock is not forfeited by the chief, &c.," for although the two *payments of* food were rendered in the other case, unless the third *payment of* food was rendered, there is nothing in lieu of it? The tenant has food in the other case, but he does not like to give it, while the heirs of the chief desire the food to be given them.

In this case, however, the tenant has not got the food, or even though he has, a mutual agreement has been made between them; and it is the chief that is dead in this case; but if it is the tenant that is dead, though he may have rendered ever so much food to the chief, unless security has been taken for the forfeiture of the stock, the stock shall not be forfeited to the heirs, and what is right to be done is to *procure* a tenant in one month, or the chief divides the inheritance. If it is the chief that is dead, sic.

Every failure, every neglect, every addition, every interest, which are demanded of the tenant are forfeited, unless they are demanded of him before his death, for every dead man kills his liabilities. It results from the neglects of the chief that there is no liability upon the heirs of *his tenant* unless they themselves have committed default after the death of their father.

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Meath, .i. in cumal. Folluza, .i. in manéime, no in eneciano. Fuille, .i. in aithgin, .i. fuille, .i. in diabla, .i. uilip don ceili; a methar fair a fallab flatha ni tobong ar dia comarbaid iar na eab. Foruilleth, .i. no poileatad for fin ceile, no ra himluaid. Man a forngartar, .i. muna timgartar ar he, .i. a rad, no muna acartar ar he'ne neab, .i. a rad. Ar marbaio, .i. uair eiblio a énta mar aen fur in cad ip marb, can ni ip mo na aithgin o na comarbaid, in mbao no bar a fail ocup a netrebuire impu, can a naera ar pe na eab. Do ba a fallab, .i. oiboiar on flait fin tre na fail. Na bi cin, .i. noco bi ni pe taeb aithgona in ratha for na cometaigib orba, muna degnat na comarba buéim fail iar néab an aear.]

In comorbu na dearb no fertur ni fuille forru dail na doirche, na brechtanagthe, na inderb, na ainecht, na ainbechta; acht aithgin i cach i cumu cept, iar faillyuga, ar ni diuparar dinach marb muin cin folluga, cin ealguin, cin egill, cin ehir.

Na dearb no fertur, .i. do petab flata leo, ar ni diuparar in flait dia petab do beir dia ceile acbail. Ni fuille forru dail, .i. naé ni ip deimin leo do dleirtin uib, na bit a fail ime gan a ic, .i. in rmaet, .i. nochan poleatann orru in ip uirpury ar fein. Na doirche, .i. gan rianuib. Na brechtanagthe, .i. gin reanchuibe, .i. dlegar ar in dar per ni dlegar on alaire. Na inderb, .i. forpuch ocup dithu, .i. dearb inderb gan namunna. Na ainecht, .i. gan naicuire, gan ratha, no amoiriatuige, .i. ar eicm tuco fair. Na ainbechta, .i. a mbeoracta, .i. ni fargab in beo fur huiroet ar néla

¹ *Demanded.* The gloss in O'D., 266, runs somewhat differently, as follows:—Which are demanded of the tenant, i.e. which accumulated upon the tenant, i.e. *finés* for failure, i.e. failure of service which was due of the tenant here, and these are the 'eric'-fines of failure of service in 'daer'-stock tenure without evading suit; but in 'daer'-stock tenure addition runs for neglect of service, as thou hast said before in the text, i.e. a 'cumhal,' and double and honor-price. Unless demanded before death, i.e. unless they are demanded of him before his death, or unless it has been told him before his death, i.e. unless they are demanded of him in his lifetime, they are forfeited by the chief: for the tenant left it *as his declaration* when dying, that the chief was entitled to nothing from him, but that he had paid all: and if the chief

Failure, i.e. the 'cumhal' (*the fine for failure*). Neglect, i.e. of the manual work, or the honor-price. Addition, i.e. the restitution. Interest, i.e. the double, i.e. it is forfeited to the tenant: all that was withheld by him through the neglects of the chief shall not be demanded of his heirs after his death. Which are demanded, i.e. which accumulate upon the tenant, or which were incurred by him. Unless they are demanded, i.e. unless they are demanded of him, i.e. are declared or claimed of him before his death, i.e. the demand. For *every dead man* kills, i.e. for his debts die with every one that is dead, nothing more than restitution being due of the heirs, when there was neglect and non-security respecting them, and they were not demanded of him before his death. It results from the neglects, i.e. the chief is deprived of this on account of his neglect. There is no liability, i.e. there is nothing besides restitution of the stock upon the heirs to the land, unless the heirs themselves have committed neglect after the death of their father.

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The heirs are not protected in respect to what is certainly known, by darkness or obscurity, or want of written evidence, or want of proof, or illegality, or illegal bequest; but *they shall pay* restitution for everything after a proper manner, after *proper* showing, for he (*the chief*) shall not be defrauded of his death-benefits when he is not guilty of neglect, or malice, or treachery, or negligence.

What is certainly known, i.e. of the 'seds' of the chief with them *in their hands*, for the chief shall not be defrauded of his 'seds' which he had given to his tenant who had died. Are not protected by darkness, i.e. as to everything that they are sure is due of them, they should not neglect to pay it, i.e. the 'smacht'-fine, i.e. that which is obscure to himself is not a screen to them. Or obscurity, i.e. *being* without witnesses. Want of written evidence, i.e. without a historian, i.e. it is required of the one man, not of the other. Want of proof, i.e. assertion and denial, i.e. uncertain proof without guarantees. Or illegality, i.e. without a contract binder, without guarantee, or a forced law, i.e. by force it was imposed upon him. Or illegal bequest, i.e. their life bequests, i.e. what the living man has left by will after evading,

were present it would be his duty to prove against the tenant. As to whatever the tenant has failed in during his lifetime, unless it is obtained of him in his lifetime, there is no interest upon him after his death, nor upon his heirs. The neglect of the chief, i.e. the chief is deprived of this in consequence of his neglect. There is no liability on the heirs, i.e. neither the 'smacht'-fine nor the double, which was due of their fathers, although the father acknowledged such, for the chief has neglected to sue the tenant, and it was not necessity that compelled him, i.e. there is neither increase nor growth nor addition due of the heirs to the land, nothing more than restitution, unless they themselves have committed neglect after the death of their father.

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ocur cia no éla ní olúgíro flaití níl ino áét aithgín maí ro pollaigéó,
.i. iní ná betuigeann in beo ní huóáét, .i. á mbeláib fíre gíraíó ré
huóáét, .i. munur fagúib in beo fíre huóáét. Alét aithgín, .i. aithgín
in cútruma olégar oib in gach ní do réir cirt íar ná beó cona pollúir é,
.i. ná haithgína in tan bír cunnatáirte fíiríre. Alí ní oíuraraí, .i.
ar nochon oíuburthur neach, cin maíne maíra olúgur do tabúirte doína
aithgín, no in uilíatúige in inbúir ná rábur í fáill, maíne trefbúirte
uime, .i. cin maíne do on maíre ínn, .i. do nóirínn in flait inólúgíó
maíreá réir in cele, ír oíbur do in ráth, ocur ímígar réir trefe anól-
túib flaití.

Maí inólúgíó eile do gíne in flait réirín cele, ír oíur ímígar
fíirí trefe anólúib flaití, ocur ní oíbur in ráth.

Cíó bé ní olégar don cele, nochá olúgunn iní do gíbe ír in ráth
do chúir inn, ocur cíó átgabail gabur de, nochá nólébur ná
reoir do gíbe ír in ráth do gabail inní, no cúro fogínn in ráth
amúil aóubrínnur nómunnn.

Cín pollúga, .i. in in manchuine ocur in in mbiaó, .i. maí cumgí
.i. cin fáill oí do légaó do gan áíra ná íaíh ar ná comúrbúib ré ná
néí. Cín ealíun, .i. imín nguín. Cín eííll, .i. imín mbíraíh. Cín
eííur, .i. cin aílíuró léra oíngáire, .i. cin in cele do bíraíh don flaití.

Oíbur do celíu í meíur íair á fáillúib ná flaití ná
tobungáur oíá comúrbúib íar necúib.

.1. cach ní uile aóubríur an flaití íorínn cele, íair cumúil, ocur
oíablaó, ocur enecíunn, ocur aithgín, ír ílan don cele maí do íat
á cubur ré baf cuna ro oléét in flaití, ar ní íoíbe, cíout berúir
á beó, no co ro maíth bíat no do bíat don cele maí beúiró. Muna
pollaigéó ímúiríro in flaití, ro búó laíur ímóenun íor in cele maí
beúiró; no dono cia ro búí in meí ro on cele, maí ro pollaigéó
in flaití co baf in cele, ní olúg áét aithgín.

Táiríreíe cachá beúra o beug co móir, doneoch do
íurínníur, ír íorí cetíallínná techta; maí alí cúir do

and though he has absconded, the chief is then entitled to nothing for it but restitution for what was neglected, i.e. the thing which the living man does not support by will, i.e. before a man of dignity by will, i.e. unless the living man has left it to a sensible adult by will at his death. Except restitution, i.e. restitution of the complement due of them in everything according to right after being properly explained by witnesses and historians that it is due, i.e. of the restitution when there is doubt upon it. For he (*the chief*) shall not be defrauded, i.e. for no one shall be defrauded, but such property as he is entitled to must be given him as restitution, or as entirety when there has been no neglect, and unless security has been given, i.e. unless he has been defrauded of his property by the dead man, i.e. should the chief commit illegality of killing against the tenant, the stock is forfeited to him (*the tenant*), and he (*the tenant*) shall separate from him on account of the disqualification of the chief.

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If it be another *kind* of illegality that the chief has committed against the tenant, it is right to separate from him in consequence of the disqualification of the chief, and the stock is not forfeited.

Whatever is due of the tenant, it is not right to regard as part of it what he had received as stock, and if it be distress that is taken from him, it is not lawful to take in it the 'seds' which he had received as stock, until the stock is compensated for in the manner which we have already mentioned.

Not guilty of neglect, i.e. respecting the work and the food, i.e. in his power, i.e. he has not committed complete neglect in demanding the debts of the heirs before his death. Not guilty of malice, i.e. as to wounding. Not guilty of treachery, i.e. as to betraying. Not guilty of negligence, i.e. not to neglect his welfare, i.e. the tenant not having been betrayed by the chief.

What has been neglected by the tenant in consequence of the neglect of the chief shall not be recovered from his heirs after his death.

That is, *as to* everything which the chief sues of the tenant, whether the 'cumhal'-fine, the double, honor-price, or restitution, the tenant is quit, if he had declared on his conscience before his death that the chief was not entitled to *any thing*, for there was *no evidence*, though it is said that there was, that he had *not* forgiven one *payment* of food or two *payments* of food to the tenant in his lifetime. But if the chief had not neglected, it was his duty to prove it against the tenant in his life-time; or, indeed though this failure had been *really* committed by the tenant, if the chief had neglected to *sue him* until the death of the tenant, he is entitled to nothing but restitution.

The proportionate stock of every food-rent from small to great, which we enumerated, is given by the

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earbhan a trian don taircraic; má tref cuir, do
erhun a leth, ar it luga a meatha ocuf a riap ríde.

Taircraic, .i. craic toiricneé do beap ar gac mbiaó uair o bec
mbiú co inor mbiú. Do ruirmírium, .i. ro rairmírium romuinn.
I r por cétgiall na techta, .i. i r o flaithe cétgiall na dligéig ata
rin in lan rath. Má é álu cuir, .i. leé no dá trian romuine do, .i.
má é in tí cuiríur in dára cor ceirine, flait porgiall na, do earbun a
trian don taircraic don rath, .i. romuine doib iap ná taircraic, .i. i r
inunn baithaó doib a triur, cio luga porgiall na ocuf cuirí, co rucur
i ri ocuf cuir trefe duibruithir. Má tref cuir, .i. do earbun leé
in rognúna a dubrumur romuinn, .i. leé no trian romuini do uad, .i.
má é in tí cuiríur in tref cor ceirine, do earbun a leth don tref
O.D. 1086. toiricneig [a leth rognama a dubrumur romuinn uad, .i. i r rí ro
in ríat on. Ar it luga, .i. ar i r luga in ní ata doib a meath a mbiú.
A meatha, .i. in an cumal. Ocuf a riap, .i. a riap do riapais
doib, .i. in an caecair.]

Cumal ríchit reoit cu ndiablaó naitgínu nech ro
meatha meath mbiú flatha cétgiall na. Leth cumal
dech reoit la diabluó nech meathur meath mbiú álu
chuir. Cethruime cumuile cuic reoit la diabluó
naitgínu nech meathur meath mbiú trefe cuir.

Cumal ríchit reoit, .i. dá trefe doé mba, .i. leé nuinge, .i. doé
nuingeiríe. i. la aigín, cuna diablaó meó ro meath ann, .i. i r ann ata rin.
Leth cumal, .i. leé na cumuile romuinn, doé reoit dá trefe cuic baí, .i.
cuic baí—; daitha a mbiúíó por porgiall na, ocuf por cuiríu ná do
tabuirí do cele, ocuf ná eile ríap, i r aipe i r bec a rímacht. Meath

¹ Paid. The arrears of rent due for land must be paid before every other claim.

² Less, i.e. less than that due to the 'cedgiall na'-chief, i.e. the chief who got first securities.

lawful chief who got the first securities ; if it be the second contract, the third of the proportionate stock is substracted ; if it be the third contract, the half of it is substracted, for their failures and their services are less.

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Proportionate stock, i.e. the relieving fee which is given for every noble food from small food to large food. Which we enumerated, i.e. which we have said before. By the lawful chief who has got the first securities, i.e. it is from the lawful chief who got the first securities this full stock is received. If it be the second contract, i.e. one-half or two-thirds of the profits are given to him, i.e. if it be the person who has imposed the second contract of tenancy, i.e. the chief who got the second securities, the third of the proportionate stock, or the subsidy is taken off, i.e. profits are given to them after receipt of their proportionate stock, i.e. the food rendered to the three chiefs is equal, though the chief who got the second securities, and the chief who got the third securities, are lower, until land is given by them, the part due for the land is fully paid.¹ If it be the third contract, i.e. half the service which we have said before, i.e. one-half or one-third of the profits is taken from him (*the tenant*), i.e. if it be the person who has imposed the third contract of tenancy, (*i.e. the chief who got the third securities*), one-half of the proportionate stock shall be taken away from the tenant, and half the service which we have mentioned before shall be withheld from him (*the chief*), i.e. this is the cause indeed. Are less, i.e. for what (*the fine which*) is due to them for failure of their food is less.² Their failures, i.e. as to the 'cumhal.' And their services, i.e. the number of services due to them, i.e. for the fifty.

A 'cumhal' of twenty 'seds' with double restitution for the thing failed in *is the fine* for the failure of the food of the chief who got the first securities. Half a 'cumhal' of ten 'seds' with double of the thing failed in *is the fine* for the failure of the food of the second contract. The fourth of the 'cumhal' of five 'seds' with double restitution for the thing failed in *is the fine* for the failure of the food of third contract.

A 'cumhal,' of twenty seds, i.e. which amount to ten cows, i.e. of half an ounce, i.e. ten true ounces, i.e. with restitution, so that it is the double of the thing in respect to which failure had occurred, i.e. it is for it this fine lies. Half a 'cumhal,' i.e. half the 'cumhal' aforesaid, i.e. ten 'seds' which come to five cows; i.e. five cows; the reason why the 'smacht'-fine is so small is to revenge his illegality upon the chief who got the second securities, and the chief who got the third securities for giving stock to the tenant, he having had another stock

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mbið alu chuir, .i. flaitið forðgiallana. Ceathruime cumuile, .i. ceathruime na cumuile na nðeð mbo, ða ba ocyr ramuir. Nech meathur .i. ro meathur ann. Meath mbið trear cuir, .i. in ti chuiruir in trear cor cailfine for in cele, .i. flait cuitrið.

Cið bec tra in biad meathur ann, ið cumul ino do cetgiallana, ocyr leð cumul do forðgiallana, ocyr ceathruime cumuile do cuitrið. Cið biathað ceathruir meathur ann, ið ro biar ann, cumul ficht peoit, 7rl, .i. ficht ramuirð, ðeð mba do flaitið cetgiallana a með a mbið; cuic bai do flait forðgiallana; ða bai ocyr ramuirð do flait cuitrið a með a mbið.

Cið ro ðera leð cumul do beð ðon tí do beir ða trian raða, ocyr ceathruime cumuile ðon ti do beir leðrað. Ið ðono roðera, ar ið inoðigeð ðoib rað do tobuir do cele flatha eile, ocyr ara laiguit in aigillte do raðrað ðoib .i. trian loð einuð ocyr nomað loð einuð. Ið ro ðera nað trian cumuile ocyr nach nomað cumuile do beir rium iðin meth, ar ið luða coneaguiturum rognum do tri flaitið ina coneaguit na flaitið rað do tobuir ðoib rium.

Imðich cach corp a meamra, ma pocorp, rognimuch, roberuch, plan, ropoltach, rocomair. Corp cach a fine ar ni bi nach corp cen cenn. Cenn cach iar nðuinib i fine beirð rruithe, beirð nuairliu, beirð trebair, beirð necnuigi, beirð roðnuigi co fir, beirð treiriu rru himpoiche, beir forurra rru hurnairde romuine ocyr ðomaoine.

Imðich cach corp a meamra, .i. ið ein ðitnuir cað cenn a mðam rruirnuðu, .i. ruairið cað corp ar, .i. corp ar ceano. Ma pocorp, .i. ma ðeað ceano e cin su forðell, gin su fiaðnuir. Rognimuch, .i. ma

before. The failure of the food of second contract, i.e. of the *chief who got the second securities*. The fourth of a 'cumhal,' i.e. the fourth of the 'cumhal' of the ten cows, i.e. two cows and a 'samhaise'-heifer. Of the thing failed in, i.e. which was failed in. The failure of the food of third contract, i.e. of the person who imposed the third contract of tenancy upon the tenant, i.e. the chief who got the third securities.

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However small the food failed in may be, there is a 'cumhal' to be paid for it to the *chief who got the first securities*, and half a 'cumhal' to the *chief who got the second securities*, and one-fourth of a 'cumhal' to the *chief who got the third securities*. Though only the food of four persons has been failed in, this is the *fine* which shall lie for it, —a 'cumhal' of twenty 'seds,' &c., i.e. twenty 'samhaise'-heifers—ten cows to the chief who got the first securities for the failure in supplying his food; five cows to the chief who got the second securities for the failure of his food; two cows and a 'samhaise'-heifer to the chief who got the third securities for the failure of his food.

What is the reason that half a 'cumhal' is due to the person who gives two-thirds of stock, and one-fourth of a 'cumhal' to the person who gives half stock? The reason, indeed, is *plain*, because it is unlawful for them to give stock to the tenants of another chief, and on account of the smallness of the stock which they had given them, i.e. one-third of honor-price and one-ninth of honor-price. The reason why it is not the third of a 'cumhal' and the ninth of a 'cumhal' which they pay as *fine* for the failure, is because they (*the tenants*) can more easily do service to three chiefs than the chiefs can give them stock.

Every head defends its members, if it be a goodly head, of good deeds, of good morals, exempt, affluent, capable. The body of every head is his tribe, for there is no body without a head. The head of every *tribe*, according to the people, should be the man of the tribe who is the most experienced, the most noble, the most wealthy, the wisest, the most learned, the most truly popular, the most powerful to oppose, the most steadfast to sue for profits and *be sued* for losses.

Every head defends its members, i.e. it is actively every head maintains its relieving rule, i.e. every true chief opposes *in behalf of his tribe*, i.e. body is *here put* for head. If it be a goodly head, i.e. if it be a good head without false decision,

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coir ap coipo, .i. im comingsaire, .i. comgnim, .i. gin su ríadnaisre, .i. gin
gum, gin forplogas. So be ruich, .i. gin gair, gin brait. Slan, .i. gin
gum, gin gair, .i. gin cirta, .i. ní teirg neé oib cirta for apairle. So fol-
tach, .i. im oim, ocur im aithne, ocur im aiplegas, .i. gairllas cáe oib tar
cenn apairle. Socomair, .i. comic cach alairle im eochu ocur im rruana,
ocur im comnaróm ocur im comraic. Corp caich a fine, .i. iréó ir
corp don cáe ir cenn a fine. Ar ní bí nach corp cen cenn,
.i. nochá mbi nach corp fine cin ceann oib fein forp do reir cirt.
Cenn caich iar n-duinib, .i. curub do daine ná fine iarum in
cach ir ceannó plait ná gairfine; no curub do reir daine ná fine in cach
ir ceannó, .i. ir e ceannó in cach ir fine rí dainib, .i. in tí ir rruithche, gírl.
Derio rruithche, .i. í nairnuo. Derio nuairliu, .i. in gírat, .i. í
reb. Derio trebuirle, .i. im ar ocur im buan, .i. im tochur rru
coimic rínteará--S.D. Derio necnuigiu, .i. í leabruib, .i. a leimn,
no ir mo cata. Derio roéruigiu, .i. caruit maé tar crich a gabail
ler, no bí degcarrdeá im ríobail locta ríra, .i. a lór a caru, .i. rru
raige for in coicrué. Derio treiriu, .i. berí treine rru eimpoiche
cnuio imbleoguin air, no nanoochor. Rrí himpoiche, .i. a duálgur a
gairgíó. Der forruirca, .i. beir deá forruir trebairle, .i. a corp gin
O.D. 1087. crich gin reir[is] .i. a duálgur a nír fein, no ir e ir forruirca ina baile.
Rrí hupnairle, .i. oibair cur ub e beiruir, .i. gairle in treanorach.
—S.D. Domairne, .i. a cinuio cur ub é icur.

Cumad ríach do gabair do cáe duine irin tuairé o plait
gairfine, ocur plait gairfine do gabail ríacha o rí tuaithe; no dono
gáe duine irin tuaithe o rí tuaithe, cia plaituir derioe atá ac
plait gairfine .i. tur nairbrena, a tur nairlabra, ocur toga
do rannab, ocur reéctmao tíre oibair ná laim.

Imur ruich fine imanetur, imur ruichet, imur coit-
cet, imur cobrathar; imur cumtaiget fine.

Imur ruich fine, .i. ná cuir inoigthucu do ní neach, .i. ir eim
ruairuit in fine ecurruo fein, cur ub e in tí ir neara beiruir .i. ruairuis
in tí ir neara a cuir cío re fine cío re aithne do gne cuir. Imur

¹ *Exhibition.* When the geilfine-chief is not the king of the territory, but takes
stock from the king of the territory, he enjoys the privileges above obscurely
described. Similar privileges were ceded to O'Finaghty by O'Connor, and to

without false witnesses. Of good deeds, i.e. if he be a just head, i.e. for joint maintenance, i.e. co-operation, i.e. without false witness, i.e. without wounding, without burning. Of good morals, i.e. without theft, without plunder. Exempt, i.e. without wounding, without theft, i.e. without crimes, i.e. none of them has transferred his crimes to another. Affluent, i.e. for lending, for giving in charge, for lending on pledge, i.e. each of them gives a pledge for the other. Capable, i.e. each can accomodate the other with horses and bridles, and as to joint contract and joint-stock. The body of each is his tribe, i.e. the tribe is the body of each person who is chief of his tribe. For there is no body without a head, i.e. there is no body of a tribe without a head of themselves over them according to justice. The head of every tribe, &c., i.e. that every one who is head or chief of the 'geilfine'-tribe be of the people of the tribe; or that every one who is head be according to the people of the tribe, i.e. he is the head of the tribe before men, i.e. the person who is most experienced, &c. The most experienced, i.e. in wisdom. The most noble, i.e. in degree, i.e. rank. The most wealthy, i.e. as to ploughing and reaping, i.e. as to wealth to guard the tribe lands.—S.D. The wisest, i.e. in books, i.e. in learning, or he who is the most dignified. The most popular, i.e. he has good friends outside the territory taking part with him, or he is well befriended in procuring compurgators, i.e. in consequence of the increasing number of his friends, i.e. for suing one of an adjoining territory. The most powerful, i.e. the most powerful to sue the crimes of kinsmen-sureties, or the wrong contracts. To oppose, i.e. in consequence of his valour. The most firm, i.e. whose place of residence is the best, i.e. his body without trembling, without anger, i.e. in consequence of his own strength of mind and body, or he is the most secure in his residence. For suing, i.e. the legacy, i.e. that it be he who will obtain it, i.e. support the old man who has left it.—S. D. Losses, i.e. that it be he who pays for liabilities.

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Every person in the territory accepts equal stock from the 'geilfine'-chief, who himself accepts stock from the king of the territory; or else every person in the territory accepts it from the king of the territory, though it is from him the 'geilfine'-chief takes chieftainship, i.e. first of exhibition,¹ first of speaking, choice of divisions, and the seventh of land legacy in his possession.

The tribe can impugn among themselves, they can impugn outside, they make oath, they relieve each other; the tribe sustains itself.

The tribe can impugn, i.e. the tribe quickly impugn among themselves, i.e. the unlawful contracts which one of them makes, and the nearest of kin is he who obtains it, i.e. the nearest of kin impugns his contract whether he made it with one of the tribe or with an external tribe. They can impugn, i.e. they quickly

O'Caomhan by O'Dowda. See Tribes and Customs of Hy Fiachrach, pp. 108, 139, 140, 143.

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fuiche, .i. [iṛ em fuaitir amach] fṛu actur fine. Imur coitce, .i. comrach ocuṛ comraonuir, no i fortuḁ ocuṛ i ntuithuḁ, .i. comtoingit. Imur cobrach, .i. im om, ocuṛ im aithne, ocuṛ im aṛluac, ocuṛ im iapacht, .i. fṛu dochrute. Imur cumtaiget fine, .i. iṛ eim cumtuigit in fine each oib a cele, .i. cumtoac caic dia raile, .i. techuib, ocuṛ tétuch, ocuṛ do fṛuauib.

Iṛ meṛiuch cach fear fine cunai a finciuḁ; nait in-
rean, naito rannu, naito rotlean, naito fuich cintuib
na coruib; iṛ meṛi imur fuich curu a fine, imfuich cach
curuḁ a compocuir maḁ earaneartur a cintu, ocuṛ a
rachu, ocuṛ a curu, ocuṛ a chinuḁ, ocuṛ a gnimu
orba, cu niaṛtoige gaire aḁruileact finntiu.

O’D. 1088. Iṛ meṛiuch, .i. iṛ cuimgeach caḁ fear [fine] coimeḁ a fearuinn cin a

O’D. 1088. nec fṛu inoetbuiur aṛ fetuib upruite [o buṛ uigteḁ he im tairacht

O’D. 1088. po coruib]. Naito inrean, .i. im ni de [i. amaḁ uile]. Naito rannu,
.i. uime uile, no po taob mic fœrann oainfine, .i. na fœaleno. Naito
rotlean, .i. po taeb mic fœrann im a nec a inoetbuiur. Naito
fuich cintuib, .i. inoetbui eile. Na coruib, .i. inoetbui, .i. celṛine
inoligteḁ. Iṛ meṛi imur fuich [no foiche], .i. iṛ cuimgeach é eim fuai-
tuḁ na cor do nait in fineaire. Imfuich cach curuḁ a compo-
cuiṛ, .i. iṛ eim fuaitiur caḁ curu in ti iṛ compocur don fineaire
o biar amluib. Maḁ earaneartur a cintu, .i. ma é uprethiur a
cintu coiri ocuṛ laime. Al rachu, .i. a cintu raḁachuir, .i. fṛu hann-
fœuiche, .i. a gnim raithu ocuṛ eitire. Ocuṛ a curu, [i. fṛu hannfœuiche

Sic.

O’D. 1088. no], fṛu fœuiche, .i. fuaitiur cor eitir oir. Al chinuḁ, .i. alṛum
a clanne. Al gnimu orba cu niaṛtoige gaire, .i. oṛuba ocuṛ do
ruiba, .i. naḁ gnim olegar don torba, ocuṛ gaire na fear fine bit cin
clann; po olegtar finntiu oerum fin. Cu niaṛtoige gaire, .i.
.i. cur in iapumtoige iṛ aḁa oleduin don fir fine, gaire in tṛenorach
coitcino, .i. do neoch uigur a gaire a finntiu.

Copu cach comra, cach pocrec, cach cṛec, cach nec,
cach cunnruḁ, cach cop, cach celṛine, cach giallu,
cach fognum fṛu fine teachta iap compocur coibfine,

¹ *Without necessity.* In O’D., 1088, the reading is—“.i. naito po etlann ni
co hnoigteḁ po toeb fein,” i.e. he is not to conceal any part of it unlawfully
for himself.

impugn outside with respect to an external tribe. They make oath, i.e. equal stock and equal testimony, or in affirmation and in denial, i.e. they swear mutually. They relieve i.e. by lending, by transmitting, by loan, by accommodation, i.e. when in difficulty. The tribe sustains itself, i.e. it is quickly, each of the tribes relieve the other, i.e. the one is sustained by the other, i.e. in horses, in clothes, and in bridles.

'CAIN
AIGILLNE.'
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'DAER'-
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TENURE.

Every tribesman is able to keep his tribe-land : he is not to sell it, or alienate it, or conceal it, or give it to pay for crimes or contracts : he is able to impugn the contracts of his tribe, and to impugn every contract of his kinsman for whose crimes, and securities, and contracts, and *fosterage*-liabilities, and land-deeds, with support of seniors due for tribe lands, he is accountable.

Is able, i.e. every tribesman is capable of keeping his land, and not to sell it without necessity for perishable 'seds,' when he can lawfully impugn contracts. Not to sell it, i.e. any part of it, i.e. to sell the whole of it out. Or alienate it, i.e. the whole of it, i.e. or to release it in favour of an adopted son of an external tribe. Or conceal it, i.e. in favour of an adopted son, to sell it without necessity.¹ Or give it to pay for crimes, i.e. other crimes without necessity. Or contracts, i.e. without necessity, i.e. of unlawful tenancy. He is able to impugn,² i.e. he is able to set aside the compacts which the tribe have made. To impugn every contract of his kinsman, i.e. he quickly sets aside every compact of the person who is related to him in the tribe, when he is so *circumstanced*. For whose crimes he is accountable, i.e. if it is he that pays for the crimes of his foot and hand. Securities, i.e. his liabilities of security, i.e. for immovables, i.e. his deed of security and hostageship. And his contracts, i.e. respecting immovables or movables, i.e. he disturbs the contract between two persons. His *fosterage*-liabilities, i.e. the fosterage of his children. His land-deeds with support of the old, i.e. the deeds of attack and defence, i.e. every deed due of the land, and the support of the old members of the tribe who are without children; the tribe-property requires this of him. With support of the old, i.e. with the remnant of support which ought to be due of the tribesman, i.e. the support of the common senior, i.e. such as is entitled to support from his tribe-property.

Every litter of *pigs*, every reward, every purchase, every sale, every covenant, every contract, every tenancy, every 'giall-na'-security, every service is properly due to the lawful tribesman by consanguinity, to whom

² *Impugn*. The words in brackets in the Irish are an aliter marginal reading.

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O'D. 1089.

cinuio, ocur cin romuine ocur domuine, ocur iarpuigiú
conteathgatur.

Coru, [i. ip cuice ip coir] cach comra muc biar os in firpíne do
breit do cum in firpíne eile do metha, cupub do beaf ceatruime meara
firpíne airtib, i. no ip cora bit é in tí ip neara beirur a comra, ocur a
crec, ocur a cunroao in firpíne, ocur cach romuine biar aise, pírú
ponus achtuinao, ar ip e beirur a domuine, ma doo neacmu. Cach
pocrec, i. gach deprec loigectá do bea amaó, cupub do beaf pín do
bea, i. per poichle. Cach crec, i. muich, i. mor, i. caó ní cennuigiur
amuis, cunuo é ceannuigiur. Cach pec, i. amach, i. im beg. Cach
cunruao, i. i tiasuit cunuo ocur ratha. Cach cor, i. ceatallna.
Cach ceilpíne, i. porgiallna. Cach gíallnu, i. cuirpí. Cach
pognum, i. paeprath. Fir pín teachtá, i. cupub o pín nógic
gebur e, i. os a mbia eacmuig na neche pín. Iar compocur, i. iarum
ón tí ip compocur do do caimpíne beirur eiric a cinuo cupub uaoa
gabur pín, i. iarum in tí no compoicpíne do do cam pín pe háitpín
na cluinde cinu uaoa do pín ailep. Cin, i. coir ocur láime. Somuine
i. in dibuio. Domuine, i. cinuo. Iarpuigiú conteathgatur, i.
coitceann techtuic, i. in iarumtoirge, coitceannuigé gair in tpeanoruch
coitcinn.

Ní tualluig impoichído no do guin no do maipín
mignim ocur micoruib, ocur no do rannu pinntheaduib,
porpocuiigéur do coruib, in decuirpíthur aipíne, na
dinaipínuic pinnuio pín romuine ocur domuine, na do
comai coru.

Ní tualluig, i. nochá cuimgeó eimpruairuio na cor do nia a pín-
éaire. No do guin, i. pín, i. gonor neach don pínéaire. No do
maipín, i. do nín in bpath, i. do nach éle. Mignim, i. im guin, no in

¹ *Lawful tribesman.* In O'D, 1089, the gloss is different, as follows:—Fir
pín techtá, i. cupub pín in per pín nógicé oca mbia acmaing
can na neiche pín do cup uao, gabtar iat; no corab do pín do bea eiric
a cinuo coir ocur láime, corab do bea na neití pín, no corab pín
icair. Iar compocur, i. iarum in tí no compoicpíne do do caimpíne
pe háitpín na cluinde cinu uao, do pín ailep. Somuine, i. dibuio,
cor abe beirp. Domuine, i. cinuo, corab e beirp, i. paba ocur paba.
Iarpuigé, i. ocur in iarpuigé coitcennuigé uile in pín, i. gair
in tpeanoruch coitcinn. Contethgatur, i. i tpe. The lawful tribes-

the fosterage is due, and crimes as well as the profits and losses, and the support of the common senior.

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Every litter is properly due, i.e. it is right that every litter of pigs which the tribesman has should be brought to another tribesman to fatten, so that he shall have the fourth of the benefit due to the owner of the land out of them (*the litter of pigs*), i.e. or it is right that it is the nearest of kin that should obtain the litter, the sale, and the contract of the tribesman, and every profit which he has, before external persons should obtain them, for it is he that should bear their losses, if such should happen. Every reward, i.e. every perquisite of reward which he shall give out, it is to his tribesman he shall give it, i.e. a man who earns wages. Every purchase, i.e. outside, i.e. great, i.e. everything which he buys outside, it is he that shall buy it. Every sale, i.e. out, i.e. small. Every covenant, i.e. in which adults and sureties are concerned. Every contract, i.e. of first security. Every tenancy, i.e. of second security. Every 'gialluna'-security, i.e. of third security. Every service, i.e. of 'saer'-stock. To the lawful tribe man, i.e. that he should receive it from a lawful tribesman,¹ i.e. who is able to bear these things. By consanguinity, i.e. that he should receive this from the person who is nearest to him of his own tribe who bear the 'eric'-fine of his crimes, i.e. from the person who is so near to him of his own tribe as to foster the children who descend from him, if necessary. Crimes, i.e. of hand and foot. Profits, i.e. the legacy. Losses, i.e. crimes. The support of the common senior, i.e. who is common to them, i.e. the last senior surviving, whom they support in common among them.

He cannot impugn *the contracts of the tribe*, who wounds or betrays by evil deeds and evil compacts, who alienates his tribe-lands, against whom bad contracts have been proved, who has adopted one of a strange tribe, who does not share the tribe property with the profits and losses, who does not observe justice.

He cannot *impugn*, i.e. he is not competent to disturb the contracts which his tribe make. Who wounds, i.e. himself, i.e. who wounds one of the tribe. Who betrays, i.e. who commits betrayal, i.e. for another person. Evil deeds,

man, i.e. that they are received by the lawful tribesman, who has capability not to put these things away from him; or that it is to him the 'eric'-fine of his crimes of foot and hand is given, that it is to him are given these things, or that it is to him they are paid. By consanguinity, i.e. the person who is so near him of his tribe as to foster the children which descend from him, if he should require it. Profits, i.e. the legacies, it is he that obtains them. The losses, i.e. the crimes, it is he that bears them, i.e. the service of attack and defence. The survivor, i.e. the last survivor, whom all the tribe support in common, i.e. the maintenance of the common senior. They bear it in common, i.e. in the territory.

‘CAIN’ ȝait ȝet na fine. Micoruib, .i. im a brath, no im ȝec neč ȝa ȝerunn
 AIGILLNE, ‘a innoetbirur. Noŋo ȝannu, .i. ȝo mac ȝoerma ȝo anȝine. ȝor-
 OR LAW OF ȝo ȝo ȝiȝiȝur, .i. ȝorȝiȝer ȝorȝu imaille ȝu ȝlač neachtȝunŋ, .i.
 ‘DAER’- ȝiȝiȝur ȝo chur aile innoȝiȝeucha ȝo ȝenum. Inȝocuirȝichur, .i.
 STOCK ȝo ȝu ȝiȝiȝur ȝe mac ȝoerum ȝanȝine, .i. ȝoerȝo ȝu ȝlač neachtȝunŋ,
 TENURE. .i. ȝo beȝu micurub, .i. micomurba caca na ȝibȝuȝ ȝač mbȝaȝichȝe
 ȝu corur a fine. Naȝinaiȝinȝuȝ, .i. ni ūȝrannȝu ȝiȝeč na fine.
 Somaiȝe, .i. ȝiȝ ȝoibȝač, .i. ȝoibȝač nocha beȝa. ȝomȝine, .i. na ȝaȝe
 ȝo ȝenum, no im ic a cinȝiȝ, ūȝiȝ icȝuȝ. Naȝ comai corub, .i. nocha
 cometȝunŋ inȝiȝ ȝo ȝer corȝ ȝaȝe in ȝreanoruch, no beč inȝa ȝiȝeč,
 no cin curub innoetȝiȝe ȝo ȝenum ȝe .i. ȝuȝ ȝuba ocȝ ȝuba ocȝ ȝaȝe.

Sic.

Sic. Ma ȝamȝ fine a micurub, cunteachtacht, iȝ ȝaiȝiȝ-
 nȝb, cach cor cunȝ ȝolȝuib, cach ȝolȝač cunȝ ȝiȝiȝolȝa,
 cach ȝolȝur cunȝ ȝolȝuib, incuirȝiȝur aȝaimȝur. ȝiȝiȝur
 a ȝaȝač, amȝil innołachȝur innoȝil co ȝuillȝuȝ, co
 ȝullȝum, co ȝomȝine, mȝine ȝȝecȝiȝur cell co ȝolȝuib
 O'D. 1090. techȝa[ȝb].

Ma ȝamȝ, .i. maȝia ȝabȝuȝ in fine inȝeimatȝitin na ȝoerchȝor ȝin, .i.
 mȝna ȝuȝȝuȝ in fine na mȝuȝuȝ ȝo beȝur ȝorȝ na ȝobȝačuib. Cun
 teachtacht, .i. coitȝeannȝiȝur ȝaȝe in ȝreanoruch coitȝinȝ, amȝil
 aȝiȝiȝuȝ no amȝil ȝiȝiȝ, .i. tečȝat iȝ ȝabȝuȝȝ ȝolȝiȝ ȝo mach.
 Cach cor, .i. o ȝlač, no in ȝaȝiȝ .i. ȝeȝiȝ ȝuȝȝuȝȝ. Cunȝ ȝolȝuib,
 .i. im biaȝ. Cach ȝolȝaȝ, .i. on fine [.i. in ȝet ȝuȝȝuȝȝ]. ȝiȝiȝolȝaȝ
 O'D. 1090. .i. in manȝuine. Cach ȝolȝur, .i. in ȝaȝiȝ no in ȝet ȝuȝȝuȝȝ. Cunȝ
 ȝolȝuib, [im an mbiaȝaȝ] .i. in manȝuine, .i. on cele. Incurȝiȝur,
 O'D. 1090. .i. on ȝlač. Aȝaimȝur, .i. on cele no on fine. ȝiȝiȝur a ȝaȝaȝ,
 .i. ȝiȝiȝur a ȝaȝaȝ amȝil ȝoinnȝur ȝiȝeč oȝa amȝiȝ biaȝa amȝiȝ
 Co ȝuillȝuȝ, .i. in ȝaȝlaȝ. Co ȝullȝum, .i. in cumȝil no in enea-
 clunŋ. Co ȝomȝine, .i. in biaȝ no in cumȝil. Mȝine ȝȝecȝiȝur
 cell, .i. mȝine ȝȝecȝiȝur é ȝo ȝer inȝaȝla in bȝeȝeamȝuȝ, .i. mȝnaȝ
 e ȝa cell acȝo ȝiȝaȝchȝur na ȝet ūȝo, no ȝoȝnum ȝib, .i. iȝ ann ȝin
 aȝat na neche ȝin ȝon ȝlaȝiȝ. Co ȝolȝuib techȝaȝib, .i. corȝ in ȝolȝuib
 iȝ ȝiȝiȝuȝ ȝo, .i. ȝiȝiȝ na ȝet iȝ ȝoerchȝuȝiȝ a ȝuȝȝ inȝuȝȝaȝ.

¹ *Stealing.* In O'D., 1090, there is added:—“.i. ȝuȝ ar nech ȝo ȝobač co
 hȝnȝiȝtech,” i.e. to go against one to levy unlawfully.

² *Alienates.* In O'D., 1090, there is added:—“comȝaȝer in ȝeȝuȝuȝ,”—
 who unlooses, breaks up, or disperses the land.

³ *Responded to.* In O'D., 1090, it is explained thus:—“Maȝa ȝȝecȝaȝar,
 i.e. unless he (*the chief*) is responded to, i.e. *served and attended* as to his services of

i.e. as to wounding, or stealing¹ the 'seds' of the tribe. Evil compacts, i.e. as to betraying, or selling a part of his land without necessity. Alienates,² i.e. to an adopted son from a strange tribe. Against whom, &c., have been proved, i.e. it is proved against him that he had made such *evil contract* with an extern chief, i.e. it is proved by true evidence that he had made another evil contract. Who has adopted, i.e. he has planted *in the territory* an adopted son from a stranger tribe, i.e. he made *this compact* with an extern chief, i.e. he brings false contracts, i.e. a pseudo-successor to them, who could not give fraternal security for the law of the tribe. Who does not share *the tribe property*, i.e. who does not share the right of the tribe. Profits, i.e. the land legacy, i.e. who does not obtain the legacies. Losses, i.e. to perform the maintenance of *the old*, or pay for his crimes, for he shall pay. Who does not observe justice, i.e. who does not observe what he is bound to do according to the right of maintenance of the senior, or who persists in his illegality, or who does not observe the necessary duties, i.e. both service of attack and defence, and maintenance of *the old*.

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If the tribe acknowledge their bad contracts, they bear in common, according to circumstances, every compact with its returns, every stock with its returns, every reward with its returns, which are given and acknowledged. It is right to make them binding, as the compact was made with addition, with interest, with profits, unless he (*the chief*) is responded to with lawful returns.

If *the tribe* acknowledge, i.e. if the tribe were not cognizant of these bad contracts, i.e. unless the tribe impugned the bad contracts imposed upon the defaulters. They bear in common, i.e. they bear in common the support of the common senior, as they merit or are bound to do, i.e. they are bound to do so after he has given out his property. Every compact, i.e. by the chief, or the stock i.e. the returnable 'seds.' With its returns, i.e. the food. Every stock, i.e. to the tribe, i.e. the returnable 'seds.' Returns, i.e. the work. Reward, i.e. the stock or the returnable 'seds.' With its returns, i.e. in the victualling, i.e. the work, i.e. from the tenant. That is given, i.e. by the chief. Acknowledged, i.e. by the tenant or by the tribe. It is right to make them binding, i.e. it is right to make them binding according as the compact was originally made out from the time of rendering the victuals forward. With addition, i.e. the double *restitution*. With interest, i.e. the 'cumhal' or the honor-price. With profits, i.e. the food or the 'cumhal.' Unless he is responded to,³ i.e. unless the return is made according to the sense of the judge, i.e. unless their sense is to return the 'seds' justly, or render service for them, i.e. it is then these things are due to the chief. With lawful returns, i.e. with the property which is lawful for him, i.e. forfeiture of the 'seds' after ten days by right of ejectment.

food and labour due to him, according to the estimation (*sense or judgment*) of the Brehon, he is then entitled to these things; or unless it be their intention to make a true restoration of the 'seds,' or render service for them."

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TENURE.

O'D. 1091.
O'D. 1091.

Nach cori nað atuim fine ponuarnat inðairbenat, mað beith fine ina folta[ib] techta[ib]; ní tarfnaí fine, ná orbu, ná beoðil ná marbðil, ðilrí feoit caich inðecuiputhur inðligið, mað iar oeru cach faonleðað fine fo coruib [techtaib]. Ír upocra[is] gach fuioir, gach bothach, gach ðalta co ðialtre, cach felmac i naimpír ðaire ðo fithioir, gach mac beoathur nað bí raorí a chor, nach ben forpra mbe cenn comuirle.

O'D. 1091. Nach cori, .i. nach cunnuð ná biat in fine maicéin. Ponuarnat .i. ðo nia a comrpaileo [no fuaitriche], .i. pe ná ðenum fo cetoir. Inðairbenat, .i. iar ná ðenum, .i. ðenuit a ninurba iartain. Ma beith fine ina folta[ib] techta[ib], .i. maia rabuit in fine ír ná foltuib ðligtur ðib, .i. im uprogra, no im amfir ðo beit acca, .i. ní gonuit, ní maipuit. Ní tarfnaí, .i. nochá nuacht innruigéur fearann ná fine ðo ðul inn, ná mbeoúil no ná marbúil, .i. o bair amúiró rin, ein co tarpuir in cintuch. ðilrí feoit caich, .i. ír ðilur a feoit o cach aia chuirur cunnuð ðo ðenum ru co tarpuir in uprogra, .i. ír ðilur ðon fine feoit in caicé ro aiauirur curu inðigthecha ðo ðenum pe per fine, no co tarpuir in cintuch. Mað iar oeru, .i. ma iar ná uprogra ðon fine ná ðerna nac cunnuð fua raonleðachuib, .i. uprogra chuir no cunnuð é ðo per ðligið; ocyr fo coruib teacur, .i. uprogra ðo per ðligið fo rir, .i. ír lor ða nuprogra ná gnech fo. Ír upocra gach fuioir, .i. ar amúil fuprogra caé im tiaéuin fo curu, .i. in ðoerfuioir. Gach bothach, .i. in ðaerbothaé, ocyr cío faerbothaé ron nge cetna, no a mbeit annra gnechí peo. Gach ðalta, .i. co tí air ðialtre. Cach felmac i naimpír ðaire ðo fithioir, .i. cach mac bír as rogluim eolura ír in pe ruthain ma ðoer é ðathir ná fetha ná healðan. Gach mac beoathur, .i. caé mac athur bí nochan faerluim cunnuð ðo ðenum rir, .i. mac for ocyr mac ingor. Nach ben forpra mbe cenn comuirle, .i. ma aúleirach ein macuð. Ocyr fo coruib fo uile teacur.

¹ Tutor. Here the words, .i. cío rchur ma aíl—"on whatever condition he nourishes him"—are interlined in the MS.

² Proper time, i.e. course of study, during which time the pupil was entirely under the control of his tutor.

Every contract which the tribe do not recognise they impugn and dissolve, if the tribe be in their lawful conditions; the lands, the live chattels, or dead chattels of the tribe shall not be seized for it, *but* the 'seds' of him who made the illegal contract shall be forfeited, if *the tribe* had proclaimed the fugitive tribesman by lawful proclamations. Every 'fuidhir'-labourer, every cottier, every foster son, until the completion of his fosterage, every pupil during the period of his pupilage to his tutor, every son of a live father, who is not free from obligation, every woman over whom there is an adviser, are as persons proclaimed.

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Every contract, i.e. every covenant of which the tribe are not cognizant. They impugn, i.e. they dissolve, or oppose it, i.e. immediately at the making of it. Dissolve, i.e. after the making of it, i.e. they reject it afterwards. If the tribe be in their lawful conditions, i.e. if the tribe be in the conditions which are required of them, i.e. as to their having proclaimed *the person who made the covenant*, or having been in ignorance of *his covenant*; also that they be not themselves stained with crimes, that they do not wound, or betray. Shall not be seized, i.e. the land of the tribe shall not go to compensate for it, nor their live chattels, nor their dead chattels, i.e. when they are so qualified, although the delinquent has not been apprehended. The 'seds' shall be forfeited, i.e. his 'seds' are forfeited by every one who has undertaken to make a contract with them (*the proclaimed tribesmen*) until the proclaimed person is apprehended, i.e. it is lawful for the tribe to seize the 'seds' of every one who undertook to make illegal contracts with a tribesman, until the delinquent is apprehended. If *the tribe* had proclaimed, i.e. if after the proclamation issued by the tribe that no contract should be made with their fugitives, i.e. *if there had been* prohibition of bargain and contract according to law; and their contracts are impugned, i.e. these which follow down here are prohibited according to law, i.e. their condition is sufficient to prohibit them *from entering into engagements*. Every 'fuidhir'-labourer is proclaimed, i.e. every 'fuidhir'-labourer is like one proclaimed with regard to contracts, i.e. the 'daer-fuidhir'-labourer. Every cottier, i.e. the 'daer'-cottier, and even the 'saer'-cottier, is in the same condition, or their being in these conditions renders them as incompetent as persons proclaimed. Every fosterson, i.e. until the age at which his fosterage ends. Every pupil during the period of his pupilage to his tutor,¹ i.e. every son who is learning knowledge during the proper time,² if he is bound to the father of instruction or of science. Every son of a living father, i.e. I do not deem it allowable to make a contract with the son of a living father, i.e. an obedient son, or a son who does not support his parent. Every woman over whom there is an adviser, i.e. if she be an adulteress without sons. And the contracts of all these are impugned.

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Na huprocruaig cuir ocuif cunnurta, ma ro fiteir in uprogra in ti do rinne cunoruio ruu, taitnuigthu na reoit amuig foru cuib, ocuif ni fuil a reoit foruim no co taruirtuif cinuad.

Na uprogra uigtechu imurro, ni fuil tiauutuif ro coruib riu no co taruirtuif in aigiu uib.

Do ni uprocuic cuir ocuif cunnurta do neoch beif na uprocuich diaa, ocuif noch a denunn uprocuic leartunuir de beif in uprogra cuir no cunnurta.

Na uprogra uigtechu, teacuif ro coruib ocuif ro cinuif co fuithuio, co na icuif na cin, ocuif ro cinuif cin fuithuio, co cloe-ciuio do na reuib co na taruaduif uib fein, ocuif muna taruigthu, icuif a finecuire ceart aigiu gin lof, gin af, cin inforbuir.

Na uprocuio cor mbel, teacuif ro cinuif cu cin co fuithuio cu cin cin fuithuio, cuna hicuif acf ceart aigiu cin lof, cin af, cin inforbuir, cuna taruaduif uib fein, ocuif muna taruigthu, noch a icuif a finecuire nach ni.

Cach cor, cach inuill, cach ionucul ro ceirtuif foru na upgruif ra, munub a forngaire a ceann, it uilri reoit cuich inuocuif cuirtuif do cinn cach meamuir micuig; inuilri a reoit rom maof fuirtuif naof taicuirtuif iar na uprogra, ir co fiachuif gait; gait cach tothlu for a meamuib in ecuir a ceann. Cach fuaruo iaruoia rin cin inuirda, acht ma ecumug, aruibua rlan, ocuif fuillium, ocuif meaf, ocuif romaine fuilliuma.

Cach cor, .i. ceilline, .i. do coruib ocuif do cunnurtaib. Cach inuill, .i. lanumuir. Cach ionucul, .i. fuilliuma no do com-

¹ *Bed.* leartunuir. A person so proclaimed, i.e. forbidden lodging, was completely outlawed.

² *Growth*, i.e. in size and flesh of the body.

³ *Increase*, i.e. calves.

As to those who are prohibited from *making* bargain and contract, if the person who made the contract with them had known of their having been proclaimed, the 'seds' of the person outside shall be sent back, and his 'seds' shall not be returned to him until the delinquent is apprehended.

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But as regards those prohibited legally, there is no opposing their contracts until restitution is made to them.

A man who is proclaimed and prohibited from *receiving* food in his native territory is also prohibited from *making* bargain and contract, but to be prohibited from bargain and contract does not make him prohibited from bed.¹

Those proclaimed legally shall have their contracts and their assaults with or without counter assaults set aside, so that they shall not pay for any liability but make a return of the 'seds' if found with themselves, but if they are not found *with themselves* their tribe shall pay exact restitution without addition, growth,² or increase.³

Those forbidden to make contracts by word of mouth, shall have their bad contracts *set aside* whether with or without set off, so that they shall pay nothing but exact restitution without addition, growth, or increase, when the 'seds' are found with themselves, and if they are not so found, the tribe shall pay nothing.⁴

In every contract, every unlawful act, every bargain which is made with these prohibited people, unless it is by order of their chiefs, the 'seds' of those who made the contracts are forfeited to the chief of the persons who contracted unlawfully; their 'seds' are forfeited if it be found that they were not returned after being proclaimed, and with the fines for theft; every evasion by the members in the absence of their chiefs is *as* theft. Every dispute afterwards without returning, except where such was impossible, takes away the full *amount*, the interest, the *fine* for failure, and the profits of interest.

Every contract, i.e. of tenancy, i.e. of contracts and covenants. Every unlawful act, i.e. of social connexion. Bargain, i.e. of interest or

⁴ *Pay nothing.* To punish the plaintiff for having made a contract with persons not legally qualified to enter into any.

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 thep perin lucht ro urghairctur oligeó cunnruo do denum. Munub
 a forrghaire, .i. mana rabat a cno ac forcongria a denmá. It oilri
 reoit, [.i. ip oilri reoit in cach ro aocairpctep curu móligeóca do
 denam,] a dualsur inoarbair i forba dechmaró. Do cinn cach me-
 mair [.i. do cno cacha meamair do ni roochairu], .i. ip do ip oilur iat,
 ocup ni do in meamur, .i. do ni na rooch cuir, .i. ar in meamur
 do gni in micor; aithgin imar leasó elo do bpeit don meamur; na cuic
 reoit ocup einneclunn ocup in diablaó do roirmaóct elo, ocup in aithin
 ro oilrio innarba do bpeit don cinn. Maó riapuitthur, .i. maóia
 tapruptur iat. Naó tatcuiritthur, .i. amuich iar nup-
 rogra, .i. diablaó iar nelo, ma ro leasó elo iumpu. Ip co riachuib
 gaiti .i. ip riach gaitte biar o deómuio imach, no iar trofcoó ro
 cetoip forr in ti do eltar a cno o na cele i necmuir a ceann, .i.
 ip amuil gait im oilri cach ni berur on meamur a necmuir a ceann.
 Cach fuarhuo, .i. caó ro ornaó cin innarba, .i. fuarhaó hurghairthur
 rumuinn fuar do dainib ceirpne, cinmoóa amuil ip rubarctamur
 dona ceirpne ro ceana do dainib faeria.—8.º. Fuarhuo ceirpne ceana
 inro do traeruib, cinmoóa fuarhuo cor na nupgaréa. Iar moóa rin
 .i. iar moóa poegium im churu, .i. cach fuairhuo ceirpne iarum
 ar a haéle rin, uair fuairhuo cor ocup cunnurta aoubrumur
 romuinn. Cin inoarbair, .i. do beó ann, .i. ip muinn ocup do gne in
 tinnarba, ma egin foruair gan a denum. Acht ma ecumunz, .i.
 ata aét lum cunro inuno do ocup do neó hi in mbuio na caemnuair
 a denum, .i. ip man do ocup do gnecha an innarba, ma egin an-
 denum; ocup do a cuic icur in diabluo.—8.º. Fuilllum, .i. in diabluo.
 Meaó, .i. in cumal. Somaine fuilllum, .i. in biaó ocup in
 manchine, .i. im in aithin.

Cach cor.

.i. ceirpne, .i. do coruib ocup do cunnurtaib. In cunnruo do
 niat na meamur, ma ta ceann in daria de ag tiaótuim fui, ocup
 ni denum aét poegium fuairturta, ip imclaecló do na retuib do
 gper.

Mar innarbaó do gni in plaíé, ip imclaecló oib co deómuio,
 ocup oilri na ret o deómuio amach orir in fuairturta a dualsur
 innurbaó, ocup aithgin a ret fein do cin a toicheó, ocup dia
 lectur elo a toicheó, ip aithgin do cuna letgabair dubulra.

Meamur poteair cora ro, ocup i necmuir a ceann do rinneao

¹ *Impugning.* Here in the margin of the MS. are written words which probably should be read "poegmana inro," (warnings here,) or "poegma innao," (these are warnings).

barter and gifts and exchanges. Which is made with, i.e. which is made with those people with whom the law prohibits contracts to be made. Unless it is by order, i.e. unless their chief were commanding them to make them. The 'seds' are forfeited, i.e. the 'seds' of those who have undertaken to make unlawful contracts are forfeited, in right of expulsion at the end of ten days. To the chief of each member, i.e. to the chief of each member who makes bad covenants, i.e. it is to him they are forfeited, and not to the member, i.e. who has made the bad covenants, i.e. by the member who makes the bad contract; restitution of what was absconded with shall be obtained by the member; the five 'seds' and honor-price and the double which the absconding incurs, and the restitution which the expulsion forfeits shall be obtained by the chief. If it be found, i.e. if they are caught. That they are not returned, i.e. out after proclamation, i.e. double after absconding, if they have been absconded with. And with fines for theft, i.e. it is fine for theft that shall lie from ten days out, or immediately after fasting against the man who privily takes away his cattle from the tenants in the absence of their chiefs, i.e. every thing that is taken from the member in the absence of the chiefs is like theft for illegality. Every dispute, i.e. every complaint without expulsion, i.e. we have above treated of the impugning of the *contracts of prohibited persons in 'daer'-stock tenancy*, besides what we have said already of persons in 'saer'-stock tenancy.—S.D. We have here already treated of the impeaching of persons in 'saer'-stock tenancy, besides the impugning of the contracts of proclaimed persons. Afterwards, i.e. after impugning¹ the contracts, i.e. every disturbing of tenancy afterwards occurring, for it was of the impugning of contracts and covenants we had spoken before. Without returning *the cattle*, i.e. taking place, i.e. it is the same as to make the returning, if force prevented him from making it. Except where such was impossible, i.e. I make a condition that it is the same thing to him as if he had made it (*the returning*) not to have been able to make it, i.e. it is the same to him as if he had made the returning, if it was violence that prevented him; and out of his share the double is paid.—S.D. Interest, i.e. the double. *The fine for failure*, i.e. the 'cumhal.' Profits of interest, i.e. the food and the work, i.e. for the restitution.

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Every contract.

That is, of tenancy, i.e. of contracts and covenants. In a covenant which the members make, if the chief of one party is for impugning it, but he only warns that he will impugn it, the 'seds' are always mutually returned.

If the chief causes the 'seds' to be returned,^a there is a mutual return to be made of them within ten days, and a forfeiture of the 'seds' after ten days to the man who impugns in right of returning, and restitution of his own 'seds' to him without his suing for them, and if the suing be evaded, there is restitution *due* to him, with double half seizure.

These are members whose contracts are opposed, and it was in

^a Ir. *Makes returning.*

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cunnaíod fíu. Cach cunnaíod do niaí na meamuir i necmuir ná ceann, dia fuairegíodur go ceoir, ír cloecmo díb co dechmuir. Dia fuairegíodur tar dechmuir, ír dílir in da cunnaíod. Dia troirceuir iumrud co dechmuir, ír dílir in da cunnaíod.

Maiaí na deachmuir troirceuir iumrud, ír dílir a cunnaíod fíu do ocuir cunnaíod in fíu, ocuir diablaí ocuir eimeaclunh.

Cach baile na torraíodatur a feoir a laim in tuine, ocuir na fíu aice ní iumrudur, noch a necin do aít toirtheó do tabuirt ina fíu, ocuir da lecuir a elo, ír eiric eluio sic ann, ocuir cuic feoir, ocuir eimeaclunh.

Ma tar fíu ná ceann ina fíuacnuir, ír tre diablaí ; munub fíu ná ír imeaclaíod do na fíu.

Maiaí fíu ná go ceoir, ma co troirceuir do bóro, ír tre diablaí fíu ná dechmuir, .i. tre diablaí iumrud ír dechmuir cin troirceuir. Ma troirceuir iumrud, ír tre diablaí ír cuic feoir.

Cach cor.

.i. ma a fíuacnuir in cinh, ocuir cuirub tar fíu ná, ír dílir do na feoir do beruir don meamuir ar ceirne huaire fíu, ocuir diablaí a fíu fíu. Ír a troirceuir. Ír a troirceuir a feoir do fíu, ocuir dílir na fíu aile.

Maí ina eirceuir iumrud, ír claíod do fíu co dechmuir maíne fíuacnuir ; dia fíuacnuir iumrud, ír diablaí díb ír dechmuir, ocuir ír dílir na fíu amuig, ír é a troirceuir, ocuir cuic feoir dia mbe troirceuir. Ír a troirceuir dílir na fíu tall, ocuir na feoir amuig ír dechmuir, ocuir dia mbe troirceuir, ír ann ata in diablaí.

Cach cor.

.i. tecoir go coruib in tuine do ní in cunnaíod, ocuir cuirub na feoir ná a amach, ocuir muna gabtur amuich ír, ír dílir na

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the absence of their chiefs *that* contracts were made with them. In every contract which the members make in the absence of the chiefs, if it is impugned at once, there shall be a mutual return within ten days. If it be delayed beyond ten days, the contract on both sides is annulled. If fasting be performed respecting them within ten days, the contract of both sides is forfeited (*null and void*).

If it be after ten days the fasting is performed respecting them, his own contracts and the contracts of the *other* man are annulled to him, and double and honor-price *are due*.

Whenever his 'seds' have not come into the possession of the person, and he has not got anything to return, he is only obliged to sue for his 'seds,' and if he is evaded, 'eric'-fine for evasion shall be paid for it, and five 'seds' and honor-price.

If it be in violation of the chiefs in their presence, it is thrice double *that is to be paid*; if it be not in violation of *the chiefs*, the 'seds' shall be mutually returned.

If they were taken away from him at once, if they have been taken with fasting, it (*the penalty*) is thrice double within ten days, i.e. thrice double after ten days without fasting. If with fasting, it is thrice double and five 'seds.'

Every contract.

If *made* in the presence of the head, and that it be a violation of *right*, the 'seds' which are given to the member of *the tribe* shall be forfeited to him in twenty-four hours, and double of his (*the member's*) own 'seds.' This is the severity of it. The leniency is that he (*the member*) gets his own 'seds,' and forfeits the other 'seds.'

But if *the contract be made* in his absence, the 'seds' shall be mutually returned within ten days unless it (*the returning*) be delayed; but if it be delayed, there is double *restitution* of them after ten days, and the 'seds' outside shall be forfeited, and there shall be, in the severity of the case, five 'seds' *fine* if fasting has taken place. The leniency of the case is the forfeiture of the 'seds' without, and of the 'seds' within after ten days, and if there has been fasting, it is then that there is double *restitution*.

Every contract.

That is, the contracts of the man who made the bargain are impugned, and the 'seds' are sent out from him, and if they are not

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ρεοιτ ιαρ νδεμυρδ τον εινν, α θυαλζυρ ινωαρβδα; κυινγε ρομ
α ρεοτυ θυδειν αμυιζ, οκυρ μυνα ραγβατ ιαδ, ταβρατ απαδ οκυρ
τρορτυδ, οκυρ μα ρο λειγυρδ α νελοδ, ιρ κυικ ρεοιτ οκυρ ενεclunh,
οκυρ διαβλυδ ριαχ τοιβ ι λεαδ α νελοδ; οκυρ ιν ριαχ ελοδ τον
εινν, οκυρ αν αιτγιν θυνυιζ τον βαλλ.

Cach inDeall.

.1. lanumnuir. In lanumnuir aēt mapa poegim uil ann, cīd e
athair in mic, cīd e athuir na hingine do ne in poegem, noco
nartairi in lanumnuir do gref, aēt fomuil na coibce i nagaib
pomalta na mna.

Μαpa ινωαρβαδ υιλ ανδ; μαp e αθυιp ιν μιc το nι ιν
ινωαρβδα, ιμclaochλοδ ρετ nama τοιb co dechmaiδ, οκυρ τοιpι
cuyruma na coibce do ρετυιb na mna αcaδ α ινωαρβαδ, α θυαλζαp
ινωαρβα, ιαρ νδεμυρδ, οκυρ αιτγιν na coibce θυδειν cen lecon
eloδ; οκυρ δα λεctuyr eloδ, αιτγιν co ριαχ ελοιζ.

Μαpe αθαιp na hingine do nι ιν ινωαρβαδ, υmclaoéclοδ ρετ
nama τοιb co dechmuiz, οκυρ τοιpι na coibce o dechmuiz amach, α
θυαλζαp ινωαρβα, οκυρ αιτγιν na hingine θυδειν cen lecon ελοιζ;
οκυρ δα λεctuyr eloζ, αιτγιν na hingine co letgabuil διαβαλτα na
coibce.

Μαpa necmuir α δα nathair do ρonpato a cur, μαpe αθυιp na
hingine tic fui, οκυρ nι denanto aēt poegem, υmclaochmoδ ρετ
nama τοιb do gref, οκυρ fomuil na mna α nagaiz fomelta na
coibce.

Μαp ινωαρβα do rinne αθαιp na hingine, ιmclaochmoδ τοιb
co deimuyrδ, οκυρ fomelut na mna αναγαιζ fomelta na coibce.

Sic.

Μαp ινωαρβα do rinne αθυιp na hingine, ιmclaochmoz τοιb co
dechmuiz, οκυρ fomuil na mna αναγαιζ fomelta na coibce, οκυρ
τοιpι na ρετ do αθυιp na hingine α θυαλζαp ινωαρβα o deimuyrδ
amach, οκυρ αιpic α ιngine cen τοiche; οκυρ δα λεctuyr eloζ α
τοicheδα, ιp αιpic α ιngine do, οκυρ cuyrumuyr na coibci pε τοeb,
αρ ρον διαβαλτα.

¹ *Member.* In the corresponding passage in C. 1110 the reading is 'byrōbair,'
(the defaulter).

accepted of outside, they are forfeited after ten days to the chief, in right of returning ; he seeks his own 'seds' outside, and if he does not get them, let him serve notice and perform fasting, and if they were allowed to escape, there shall be five 'seds' and honor-price, and double debt *paid* for allowing them to escape ; the fine for evasion is *paid* to the chief, and the original restitution to the member¹ of the tribe.

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Every unlawful act.

That is, of social connexion. If in the connexion there be any warning, whether the warning be made by the father of the son or the father of the girl, the connexion shall not be made binding, but the use of the marriage present is *counterbalanced* by the use of the woman.

If it be a case of returning ; if it was the father of the son that has made the returning, the 'seds' only shall be mutually returned for ten days, and an equivalent of the marriage present of the 'seds' of the woman is forfeited at the returning of her, in right of returning, after ten days, and exact restitution of the marriage present when no evasion took place ; but if evasion took place, restitution *is to be made* with a fine for evasion.

If it be the father of the girl that makes the returning, there shall be only a mutual return of the 'seds' within ten days, and a forfeiture of the marriage present from ten days forth, in right of returning, and restitution of the girl herself when without evasion ; but if evasion took place, there shall be restitution of the daughter and the double half seizure of the marriage present.

If they made their contract in the absence of their two fathers, if it be the father of the girl that impugns it, and he only gives notice, there shall always be a mutual return of the 'seds' only, and the use of the woman is *put* against the use of the marriage present.

If the father of the girl makes returning, there shall be a mutual returning until ten days *have elapsed*, and the use of the woman is *put* against the use of the marriage present.

If the father of the girl makes returning, there shall be a mutual return till ten days *have elapsed*, and the use of the woman is *put* against the use of the marriage present, and *there is* forfeiture of the 'seds' to the father of the girl from ten days forth, in right of returning, and the restoring of his daughter to him when without suing ; and if evasion of his suing has taken place, his daughter shall be restored to him, and an equivalent of the marriage present along with her, by way of double *restitution*.

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Μαρ ε αθυιρ in mic do rigne in poegem, imclaoctos oib do
Sner for, ocur poegnum na mna a nagsaio fomelta na coibce.

Μαρ inoapba do rigne αθυιρ in mic, imclaoelo doib (no oib
beor) co dectmuro, ocur cutpumuγ na coibce do petuib ruioilri
na mna do uilruγaio do αθυιρ in mic a oualγur innapbta, ocur
aitγin na coibce do cin toicheo, ocur da lectur elo a toitheo,
ir aiteγin do cu na letγabail dubulta.

Μα το παλα ατρum eturpato, ir a beo for in ti ic a narta.

Cach ionucul po cepur for na upγurpuiγ ra.

.1. puilliuma, no do cumainib, ocur daircetuib, ocur tur-
γair. Na reoit puilliuma, aet ma poegium uill ann, recib
ceann do ne in poegium, ir neampartaio in puillium do sneγ,
ocur imclaoeloio do na petuib ocur don puillium, in tan
oamuir dliγeo iumpu.

Cach puapnuo iapmocta rin.

.1. cach puaitriuγ celrine iapum ar a haile rin, uair puait-
O'D. 1092. riuγ cuir ocur cunnurpba [aoubpamaγ] romuinn.

O'D. 1092. [Μαο poegem o piaiγ ocur aitriuγ o fine, ir rlan don piaiγ,
ocur diabloio o fine.

Μα poegem o fine ocur aitriuγ o piaiγ, rlan do fine, ocur
diabloio o piaiγ; no dono ir aitγin o fine, ocur in lethγabail
diabulta on piaiγ.

Μαο poegem o piaiγ ocur o fine, ir let aiteγin for ceaetpυ de.

Μα poegium o piaiγ ocur innurbaio o fine, ir rlan don fine,
ocur aiteγin o piaiγ.

If it be the father of the man that has given the warning, there shall also be always a mutual return made by them, and the service of the woman *is counterbalanced* by the use of the marriage present.

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If the father of the man made returning, a mutual return shall be made by them within ten days, and the equivalent of the marriage present in the ‘seds’ belonging to the woman shall become forfeited to the father of the man in right of returning, and the restitution of the marriage present shall be given to him when no suing is in question, but if his suit is evaded, he shall have restitution and double half seizure.

If fosterage has happened between them, it is to be on the person who is for making it (*the marriage*) binding.

Every bargain which is made with these prohibited people.

That is, of interest, or of barter, of gifts, and of exchange. As to the ‘seds’ of interest, if there be a *prohibiting* notice, whatever chief serves the notice, he shall render the interest not binding, and the ‘seds’ and the interest are to be mutually returned, when law is submitted to respecting them.

Every dispute afterwards.

That is, every impugning of tenancy that shall occur afterwards, for we have treated of the impugning of bargain and contract before.

If *there be* warning by the chief and acknowledgment by the tribe, the chief is quit, and the tribe shall pay double.

If *there be* warning by the tribe and acknowledgment by the chief, the tribe is quit, and the chief shall pay double; or else it is restitution *that is due* of the tribe, and the double half seizure of the chief.

If *there be* warning by the chief and the tribe, half restitution is due of both.

If *there be* warning by the chief and returning by the tribe, the tribe is quit, and restitution is due of the chief.

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Μα foegium o fine ocur innarba o flait, ir flan don flait, ocur aithgin o fine; ocur cach baili ineburctmar flainti ar innarba, ir la taeb oilrigti na ret.

Μαο innarba o flait ocur aittiu o fine, ir oilri na reoit don flait, ocur diabluo on fine.

Μαο inoarba o fine ocur aittiu o flait, ir oilri na reoit do fine, ocur diabluo o flait.

Μαο inoarba uaduib anoir, ir oilri na ret doib iar nbechnuio.

Μαο aittiu uaduib anoir, ir diabluo uaduib, ocur ir po cutruma icait eturru; no dono ir da aithgin o fine, ocur ruann in diabalta eturru.

Μα po ruaitrithep ria inbair ica bio, ir ann ata in flait ro, ocur po ruaitrithep ria re impoichioa cor olcena.

Μαna ruaitret co hinbair ica bio, ir artao celrine iar ruioe.

O'D. 285. Μαο foegem [no aittiu] o flait ocur o fine, ir diabluo.

Μα foegium uaduib anoir, ir aithgin.

Μαο innarba uaduib anoir, ir oilri doib iar nbechmaio, ocur ir ria inbiaio na flaita oegnithep.]

Foegium cin innarba arfais aithgin, ar ni diupurap nach tironucal adaimtur; di collnais ret haitgina, ar ataim nao innarban; ni innarban nao arunn; con aithcur ocur innurba ocur dingbail, co compuc inoilri por reotu, co dicumuin.

Foegium, .i. do denam doib, .i. ciō innarba bep ann, nochā bio ni oib rin don flait, .i. tarpuurur aithgin o fin foegme do grep, ocur ni ruil partao. Ar ni diupurap, .i. ar no diubarur in ti aittiuighthur do tironucal ratha, gin aithgin collna ratha do, ocur dermbirect ar:—

Garut a remep rapur,
Cin co be opt a imrim,
C collna na bi co brap,
Noā ni anan amablap.

¹ Care. There is, after the "r" of the word thus translated, in the MS. a mark which looks somewhat like an "i"; the whole verse, which appears to be an interpolation by a later hand, is very difficult to decipher, and the translation given is only conjectural.

If *there be* warning by the tribe and returning by the chief, the chief is quit, and restitution is due of the tribe ; and wherever we have ascribed 'acquittal to returning,' it means together with forfeiture of the 'seds.'

'CAIN
AIGILLNE,
OR LAW OF
'DAER'-
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TENURE.
—

If *there be* returning by the chief and acknowledgment by the tribe, there is a forfeiture of the 'seds' to the chief, and double due of the tribe.

If *there be* returning by the tribe and acknowledgment by the chief, the 'seds' are forfeited to the tribe, and double is due of the chief.

If returning *has been made* by both, the 'seds' shall be forfeited to them after ten days.

If *there be* acknowledgment from both, double is due of them *both*, and they pay equally between them ; or else it is two restitutions that are due of the tribe, and the double is divided between them.

If the impugning took place before the period of rendering the food, it is then this case holds good, and the impugning took place before the period of annulling contracts generally.

If the impugning did not take place till the period of rendering the food, the tenancy is binding afterwards.

If *there be* warning or acknowledgment by the chief and by the tribe, it is double *that is due*.

If *there be* warning by them both, it is a case of restitution.

If *there be* returning by them both, they incur forfeiture after ten days, and *this* is done before the rendering of the food to the chief.

Warning without returning incurs restitution, for no one should be defrauded of that which it was acknowledged he had given ; *he should receive* restitution of the original 'seds,' for he acknowledges who does not return ; he returns not without warning ; by returning and removing and driving off, he secures forfeiture of the 'seds,' *or* by not being able *to do so*.

Warning, *i.e.* to give *warning* to them, *i.e.* if there be returning, none of these things are *due* to the chief, *i.e.* restitution is always obtained from the man who warns, and there is no binding *of his contract*. For *none* should be defrauded, *i.e.* for the person shall not be defrauded who is acknowledged to have given the stock, but restitution of the original stock should be given him, as this verse exemplifies:—

Short is the time—in good truth—
Though thereof thou hast no care,¹
Return him his stock at once,
As no defrauding is allowed.

'CAIN
AIGILLNE,'
OR LAW OF
'DAER'-
STOCK
TENURE.

O'D. 1093.

Ἄρ αταίμ ναὸ ἰνναρβαν, .i. ἱρ ἰμῖνν το οοϋρ το βεῖ ἰνα ατῑτῑν
muna deirna, .i. na deirnuir a uirfogra. Ní ἰνναρβαν ναὸ ἀρῑνν
.i. noch a cumgeḃ an ἰνναρβαὸ ἱαρτῑν muna tuca apad .i. fo cetoir, .i. ní
roich ἰνναρβαὸ na ret a ḃlgeḃ, maní airoba re na tabuirṑ don éele
tían to fearṑar, .i. to tṑr in cele. Co naṑhcṑr, [.i. na reoit amad
fo cetoir.] ἰnnurba, .i. iartṑn. Ḍingbail, .i. bu coir don fṑr amuig,
.i. na reoit to deirnuir in cele. Co comruic ἰnḃilrṑ fṑr reotu, .i.
comroeg, oϋr caḃtao, .i. comaraḃt an ḃilrṑ fṑr na retuib o to deitṑr
rṑn, .i. ἰmṑn aṑhcumge. Co ḃiḃuṑuig, .i. mane caem a ἰnnarbaḃ,
.i. munab e turbaḃ deuit a ἰnnarbaḃ, .i. cin turbaḃ to beḃ to ar
nead ḃib, uarṑ tṑa roib, fṑerpuir e, .i. in fṑr tṑa taburṑar, no in
aige rṑne, .i. é na caemnucair a ngabail, munn to oϋr to né, no in
tan geber foegeam gṑnn ἰnnarbaḃ to, .i. noch a necin to aḃgṑn tṑc.

Μα ἰνναρβα ο ρλαῖθ οοϋρ ο ρῑne, ἱρ ḃilrṑ na reoit tṑib ἱαρ
nḃeacmuir, oϋr a fṑinn eturpuir ar to.

Μα foegium uadib anoir, ἱρ aḃgṑn, oϋr a ic tṑib fo cutrumur.

Μα ατῑτῑγḃḃ uaduib anoir, ἱρ ḃiablaḃ co deḃmuir, oϋr a ic
uaduib anoir fo cutruma, oϋr arṑaḃ celrṑne ἱαρ nḃeḃmuir.

Sic.

Μα ατῑτῑγ on ḃarṑa nae oϋr foegium o fṑaile, ἱρ ḃiablaḃ o
fṑr na haṑtṑin co deḃmuir, oϋr farṑa celrṑne ἱαρ nḃeḃmuir,
oϋr rṑan tṑrṑ na foegim; no tṑora .iiii. fṑr fṑr naṑtṑin, oϋr
.iiii. fṑr fṑr foegṑne.

Μα ἰνναρβαὸ on ḃarṑa nae oϋr foegium no ατῑτῑν ο ἀρṑaile,
ἱρ ḃilrṑ na reoit don fṑr to gṑn ἰνναρβαὸ aenur ἱαρ nḃeac-
muir, oϋr nṑ haṑtṑigter celrṑne fṑrpuiruga, oϋr ἱρ cele fṑin
icur in aḃgṑn, no in ḃiablaḃ ἱρ beṑur fṑnn, ḃiambe oga.

1r e coir deirna na ἰnnarbauir, na reoit to aṑhcṑr amach
cach lae co ceann deacmuirde, no cumad ἱr in cet lo oϋr ἱr in
lḃ deginuch, co teach in tṑine fṑr a nḃentṑr in tṑnnarbaḃ,
oϋr a tabuirṑ lair caḃ naḃde ḃa éig buḃéin.

Maṑeao to rṑgne a fṑgbail amuig ἱrṑn cet lḃ don deḃmuir,
ad maṑeao a ḃubuirṑ in fear amuig co na gebeḃ iat co nḃlgeḃ
no cin ḃlgeḃ, ad ma tṑrtṑur amuig, ἱρ a leḃaḃ a leir in fṑr
amuig cin nṑ tṑc fṑr, oϋr aṑruic uad na ret ruc.

For he acknowledges who does not return, i.e. it is the same to him as to be in acknowledgment *of the contract*, unless he has made *returning*. He returns not without warning, i.e. unless he has given warning at once, *as he ought to do*, he cannot return the 'seds' afterwards, i.e. he cannot return the 'seds' according to law, if he has not warned before giving it to the tenant, that he may know it, i.e. to the land of the tenant. By returning, i.e. the 'seds' out at once. Removing, i.e. *to the chief* afterwards. Driving off, i.e. it is right for the man outside, i.e. *to drive* the 'seds' off the land of the tenant. He secures forfeiture of the seds, i.e. guarding, impounding, i.e. it secures the forfeiture of the seds when he has acted so, i.e. as to the petition. By not being able, i.e. unless he is able to return them, i.e. unless it be during a period of exemption the returning is made, i.e. he not having exemption as to any of them, for if he had, it would free him, i.e. the man to whom they are given, or the head of the family, i.e. when he cannot take them, it is the same to him as if he had, or when warning has the same effect as returning for him, i.e. he is not compelled to pay restitution.

'CAIN
AIGILLNE,'
OR LAW OF
'DAER'-
STOCK
TENURE.

If the return *of the 'seds'* is made by the chief and by the tribe, the 'seds' are forfeited to them after ten days, and divided between them into two parts.

If warning *has been given* by them both, it is a case of restitution, and to be paid by them equally.

If acknowledgment *has been made* by them both, there is double *to be paid* within ten days, and to be paid by them both equally, and there is binding of the tenancy after ten days.

If *there be* acknowledgment by the one and warning by the other, there is double from the man who makes the acknowledgment within ten days, and binding of the tenancy after ten days, and the person who warns is quit; or three-fourths are upon the man who acknowledges, and one-fourth upon the man who warns.

If *there be* returning by the one and warning or acknowledgment by the other, the 'seds' are forfeited to the man alone who made the returning after ten days, and the tenancy is not fastened upon him, and it is the tenant himself that shall pay the restitution, or *it is* the double which is given, if he has it.

The proper mode of making the returning is, to send out the 'seds' every day to the end of ten days, or on the first day and the last day, to the house of the person to whom the returning is made, and to bring them back every night to his own house.

If what he did was to leave them outside on the first day of the ten days, and if what the man outside said was that he would not take them with law or without law, and if they perished outside, they are to be put to the charge of the man outside without paying him anything, and he is to restore the 'seds' which he got.

‘CAIN
AIGHILLE,’
OR LAW OF
‘DAER’¹—
STOCK
TENURE.

Μα μαριτ να ρεοιτ αιρε ιαρ ηδεμμο, ιρ ημελαοόμοδ το να ρετuib, no dono cumato α ηοιλι ρφιρ να ηηηαριβδα, υαιρ ηαρ tam ραη ολιγεδ.

Μαρεαο α ουβυιρ co ηγεβεδ ιατ μηρ α ρερυ ολιγεδ, οκυρ ηιρ γαβ ηιρ αηειμρ ηιν α ηηηαριβαδ, αετ μα τερτα να ρεοιτ, ηι ρυιλ ι λεγαδ ι λετ ην ηιρ αμυιγ, αετ μυηαι το α ουαλγυρ αιηνε; οκυρ ηι ρυιλ αιριυα να ρετ ατα να λαιμ υαδα co τυετυρ ρεοιτ ταρ α ηερι, αετ αιριυα να ρετ ατα να λαιμ υαδ, οκυρ ρεοιτ ειλε τορμυ ταρ α ηερι.

Μα μαριτ ιρ α λεγαδ α λετ ην ηιρ ιμυιγ; οκυρ εια μαο αιλ ρφιρ ηηηυριβδα α ηοιλι το, ηι ρυιλ, υαιρ ηαρ γαβ ολιγεδ, οκυρ αιριυα οη ηιρ αμυιγ να ρεοιτ ατα ινα λαιμ.

Μοχα ηολεγυρ ρφιρ ηηηαριβδα να ρετ ηηηυριβαδ το legen αμυγα, cin co ροεμητυρ υαδα ιατ.

Να ηυιλε αιηνε υιλε ηο ηαιηηιγεδ το ουιηε, ειο τα ρεοιη ειο τα αηηηεοιη ηο ραγβαο αιρε, μυηυρ ευιρ υαδα ιατ ταρ ερυη ι ριαηηυιρ ηιρ ηυηυιγ, ιρ α ηιε το μαρ α λερ ην ρεαρυηη αρυρ ραγβαο ιατ; μυηυβ λερ ιμυιρ, αετ μυηυρ γαβ το λαιμ ι κοιμεδ, ιρ ρλαν το ειο ιμυγα οιγριτ να ρεοιτ; οκυρ μαρ ο γαβ το λαιμ α κοιμεδ, cin cub λερ ην ρεαρυηη αρυρ ραγβαο ιατ, ιρ α ηιε το μα το ειατυρ αμυδα.

O'D. 1093. [Μαηα ηυρφαεμταρ ηαδιηγβαιτερ ηυιρην ηυιηη κορ ρην co ηηηαριβα, ιτ οιλιρ collηαιβ οκυρ αιηηγηαιβ, οκυρ ρυιλλιυδ, οκυρ ρυιλλεμ οκυρ ην αρ.

Μαηα, .i. μυηα ηυρφαεμταρ, .i. οη ρλαιη, να ρεοιτ υαο ο ηιρ ηηαριβα, .i. μυηα οηηγβαιτερ υαο ιατ, .i. οη εειλε ρυρ ην ηιρ αεδορ ρην, .i. ηυιρην ηυραηηεορ ρην, υαιρ τα ραιβ, ραηηαιο α τυρβαο ηε, .i. τυρβαοα το βιηη αρ ηεαηταρ οιβ. Co ηηηαριβα, .i. το βειηη αρ να ρεταιβ. Ιτ οιλιρ, .i. ιρ οιλερ colαηο να ρετ βυδαιη α ουαλγυρ ηηαριβα ι ηηηαο μαριυο, οκυρ αιηηγην ειλε ταρ α ειρην ηηηα ηα ηαριετ; ην υαιρ ηο ροιε τοη τι ααρη ραηβαι ιατ, α ηιε α ουαλγυρ αιηηε. Ρυιλλιυδ, .i. ην οιαβλαδ. Ρυιλλεμ, .i. ην εηεclαηη, .i. ην cumαλ. Ιη αρ, .i. ηα colαηο, .i. ην οηβαρη να ρετ.

¹ Increase. The corresponding passage in O'D. 286, is not glossed.

If the 'seds' live with him after ten days, the 'seds' are to be returned, or they are forfeited to the person who returns, as the other did not submit to the law.

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AIGILLNE,'
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TENURE.
—

If what he said was that he would receive them as the law should direct, and that the person who returns did not stay without returning them, and if the 'seds' perished, they are not to be put to the charge of the man outside, unless they reached him by proper delivery; and the 'seds' which are in his hands are not to be restored by him until other 'seds' are given him in their stead, but he restores the 'seds' that are in his hands, and other 'seds' shall be given him in lieu of them.

If they are living they are put to the charge of the man outside; and though the person who returns should wish them to escheat to him, they shall not, because he did not submit to the law, and the man outside shall restore the 'seds' that are in his hands.

The person who returns is bound not to let the seds which are to be returned go astray, though the receiving of them from him is not consented to.

As to all things that are given in charge to a man, whether they were left him with his consent or without it, unless he has sent them away from him across the boundary in the presence of the owner, he must pay for them if he owns the land on which they were left; but if he does not, and if he did not undertake to keep them, he is quit, even though the 'seds' have gone astray; and if he has undertaken to keep them, although the land is not his on which they were left, he must pay for them if they went astray.

If consent is not obtained *from him* that by this sending out the return is made, the original 'seds' are forfeited with restitution, and addition, and interest, and the increase.¹

If *consent* is not obtained, i.e. if true consent is not obtained, i.e. from the chief, that the 'seds' may be truly returned by him, i.e. if they are not secured to him, i.e. by the tenant with this true return, i.e. with this true return; for if there were, his exemption will free him, i.e. if there be exemption on either of them. Return, i.e. to be made of the 'seds.' Are forfeited, i.e. the original 'seds' themselves are forfeited in right of returning, when they are living, and another restitution in lieu of them when they are not living; when they have been *legally* delivered to the person with whom they were left, he is to pay for them in right of delivery. Addition, i.e. the double. Interest, i.e. the honor-price, i.e. the 'cumhal.' The increase, i.e. of the bodies, i.e. the increase of the 'seds.'

'CAIN
AIGILLENE,
OR LAW OF
'DAER'-
STOCK
TENURE.

Ní rai for fine nach ecur ninnoligtech; incuir-
ther conduinairacht. Iy dílir iarum dia nacraither
inniuil, inoallat micoruib nao cennuib coirib, com-
allat connuib arda neithit, arda leiruib labraither
cirt coir.

O'D. 1094. Ní rai, .i. no con iumpairther a parat ar in fine inní ecarther écu
cu hinoligtech. Iy dílir, .i. iy díler iarum in ni inolither inuio
irin fine tre roóéur ar éilrine; maia neacairther a hinorba
amach, .i. for culu. Inoallat, .i. iy díler iat a ualgar inorba.
Naó cennuib, .i. maia comimluaiter a cno ar aro do reir éoir, .i.
muna ba rianair na ceano coir ro comimluaiter na cuir. Connuib
arda neithit, .i. na coonair uriaídet a cnaio, .i. maia rabat a
coónaí aca nupreídet a naitim in raithe do gabail. Arda leiruib,
.i. muna rabat a cuir labra a leara in tan rin, do reir éirt, ar cas
éoir, no aithaí ar coir do reir éirt, .i. ite labrait a leara do reir
éirt iar coir.

Maó ceili do plaithe be dech, ceili bunair feibha
ocur bunair ceimiuil iar raire, iy plaithe fuy cuirther
plaithe; mar do plaithe poegium for rianu, manai
inorbanann acht poegium, iy diauib naithegna ad
cuirther.

Maó ceili, .i. maó cumbith ceile ac an plaithe ire ceile iy deaí, no
iy tagaí do do beir eice, ceile aca mbia fealb a bunao. Bunair
ceimiuil, .i. cur ab ceimel do he a bunao. Iar raire, .i. iarum iy do
iraeir do raithe do éur. Iy plaithe, .i. ire in plait rin aó éuire na
plaithe eile de. Mar do plaithe poegium, .i. maia nupreídet in
plaithe fir eígem do denam in an ruaithe, in tan no bui in ceile ac
gabail raithe o plait eile. For rianu, .i. i rianair rianu. Manai
inorbanann, .i. munab inorba do ne in plaithe, aó poegem ar
ruaithe, iy an aca in aithgin. Iy diauib naithegna, .i. iy aithgin
cuna diaiblaí aó éuráir an o fine.]

In tan iy poegem o plaithe ocur o fine, iy aithgin na ret uatuib
uiblinuib co haimeir in biaa.

Maó aithiu uatuib uiblinuib, iy diaiblaí do na húb retuib co
haimeir in biaa.

Maó ceir do gneith dia mbiair forgiallna, iy na cuir tpe
uiblinuib teir forgiallna.

¹ The other chiefs, i.e. the chiefs who gave stock in 'giallna' security, and on
third security. Vide p. 277, *supra*.

No unlawful putting in of *stock* is fastened on the tribe; let it be referred to the court. What is sent into the tribe by bad contracts is forfeited, 'indallat'-forfeiture takes place when not witnessed by the proper heads, when their guardians were not attending to tell them of their welfare, according to strict justice.

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Is not fastened, i.e. the thing which is returned to the tribe unlawfully cannot be fastened upon them. Is forfeited, i.e. what is returned into the tribe by bad contracts of tenancy is forfeited; if it be put in *unlawfully* let it be driven out, i.e. back. 'Indallat'-forfeiture *takes place*, i.e. it is forfeited by right of returning. Proper heads, i.e. unless their chiefs are present, as is proper, i.e. unless they have made the contracts in presence of the proper heads. Their guardians, i.e. the sensible adults who witness their liabilities, i.e. if the sensible adults were awaiting them to acknowledge their receipt of the stock. Of their welfare, i.e. unless their contracts were made for their welfare at that time, according to justice, in a proper manner, or as it is right according to justice, i.e. these are they who declare their welfare according to justice, in a proper manner.

If the chief has a tenant who is good, of original possessions and of original family in 'saer'-stock tenure, this chief removes the *other* chiefs; if the chief gives warning before witnesses, if he does not return but only warn, it incurs double restitution.

If *the chief has a tenant*, i.e. if the chief has a tenant who is good, or eligible for him to have, a tenant who has original possessions. Original family, i.e. who is of his family originally. In 'saer'-stock tenure, i.e. it is then he is free to return the stock. This chief *removes*, i.e. it is this chief who expels the other chiefs off him. If the chief gives warning, i.e. if the chief warns by proper notice that opposition will be made, when the tenant is receiving stock from another chief. Before witnesses, i.e. in the presence of witnesses. If he does not return, i.e. if the chief does not expel (*return the cattle*), if he only warns that he will oppose, it is then that restitution lies. It incurs double restitution, i.e. it is restitution, with its double, that is paid for it by the tribe.

When there is warning from the chief and from the tribe, it is restitution of the 'seds' that shall be *due* from them both to the time of the victualling.

If there be acknowledgment from them both, there is double of the 'seds' *due* at the time of the victualling.

If justice is done with respect to their second security, the second security shall be charged* on the lands of both.

* Ir. Co.

'CAIN
AIGILLNE,
O' LAW OF
'DAER'-
STOCK
TENURE.

Maó inoarbado uatáib doiblénaib, ocuif ro ramiaigéi forpnu ar ecin na reoit, it oifíri doib iar n-decmuio muna fuil ecumac na riaru, no tarbado galuif forp forgiallna. Deómuio ar a haile rin íf inoi a noifíri.

Poegem on dala nae ocuif aicétiu o laile, diablao na ret on tí aóaim co haimeif in biaa. Dia tince a biathao, ocuif ní cept do O'D. 1095. gni, íf na [cuif] aenuif tet, ocuif íf rlan do fíe poegem.

Maó inoarbado on dala nao ocuif poegium o rlaile, no aicétiu, O'D. 1095. it oifíri do neoch do gni innaibu; íca aicégin [fep] poeigme.

Íf diabul naicégin aó cuifethuif.

Íf diabul naicégin aó cuifethuif, .i. íf aicégin maó cuifethuif cuna diablao on fine; ocuif aicétiu uil aóo ann, no íf aicégin cuna diablao ríana dia rabuif in fine ina ro aicétiu o tha in re rera tiefuif ro coruib no ro cunnurthuif co tí aimeif biaa. Ocuif íf farcuigéte celfine o tiefuif aimeif biaa.

O'D. 1095. [Maó roóma fine na fíuthrognaitheif, ar íf í cuif fine teit ní naó naóann flaithe, foltaib do flaitheib ilib echtrandoib. Maó roómat flaitheí nach aile, íf na toifine tiasat. Maní aóma flaitheí na fine naó innaibann, íf aicégin ino aófenaif feib ro neftaif. Na bí roera la roifepin, co naócuif fia fiaónaib foluif.

Maó roóma fine, .i. maó rabat in fine ina ro aicétiu'íuif in re ar a roicheann diablao oíra, .i. muna éainic aimeif a fíe rognama, íf aóo aó in diablao. Ar íf í cuif, .i. ar íf í in fine ícuif in éuif ro roich oíra fíe na flaitheib ilaíraib íf eacátaínaí doib, in éan na bí in flaitheí tue deaífoíraí doib ar oíuif ina aicétiu. Maó roómat, .i. maóia rabat na cet flaitheí a naicétiu na flaitheí ndéínaí. Íf na

¹ *Made binding.* If the contract is not impugned, and the stock returned before the rent has become due, the tenancy is confirmed.

If the returning is made by both, and the seds were fastened upon them by force, they are forfeited to them after ten days, unless there be an incapacity of service, or exemption on account of disease upon *the chief who got the second securities*. Ten days after the removal of which, they become forfeited.

‘CAIN
AIGILLNE,
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TENURE.

When warning from the one and acknowledgment from the other occur, double the ‘seds’ are due from the person who acknowledged up to the time of the victualling. If he (*the latter*) tenders the food, but does not do justice, he alone is chargeable, and the person who warned is quit.

If there be returning by the one and warning by the other, or acknowledgment, they (*the ‘seds’*) are forfeited to the man who makes the returning; the person who warned shall make restitution.

It incurs double restitution.

It incurs double restitution, i.e. it is restitution with its double that is charged on the tribe; and they are *considered as* in acknowledgment here, or restitution with its double is incurred if the tribe were in complete recognition from the period when they might oppose contracts or covenants until the time of rendering the food-tribute. And when the time of paying the food-rent has arrived the tenancy is made binding.¹

It incurs double restitution if the tribe acknowledge the receipt of the stock, for whatever property the tribe receive from external chiefs, and of which *their own* chief is not cognizant, is put to the charge of the tribe. If their chiefs have acknowledged the others, it is to their charge it goes. If neither the chief nor the tribe have acknowledged or returned it, restitution is *to be made* according as it was received in *this case*. No warning *was given* by eye-witnesses, nor returning *made* before proper witnesses.

If the tribe acknowledge, i.e. if the tribe were in acknowledgment during the time in which double comes on them, i.e. unless the time of their service has arrived, it is then the double lies. Is put to the charge *of the tribe*, i.e. for it is the tribe that shall pay the amount that shall come upon them to the various chieftains who are strangers to them, when the chief who had given them goodly wealth, (*i.e. stock*), originally, is not in acknowledgment of such. If *their chiefs* have acknowledged, i.e. if their first chieftains were in acknowledgment of the last chieftains. It is to their charge, i.e. it is to their account it

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τοίρνε, .i. ἵρην αὖτε τεῖτε, .i. ἰνα τριαν. Μανί ατμα, .i. μύνα
παβας ἰν πλάτ να ἰν fine ἰνα αἰτίτην. Νας ἰνναρβανν, .i. μύνα
παῖβ ἰνναρβα αὖ αῖρ να ρεταῖβ ἐκατο ἵρην πατῆ. 1ῖ αἰτῆζῖν, .i.
ἵρ αἰτῆζῖν ἀτῆαῖρζῖτῆρ ἀνὸ ρον ρεβυρ ρο ἡῖρνεδ ἡ, οὖρ ροεῖζῆν
ρῖλ αὖ μαρ ἀν ἀνὸ. Νὰ βῖ ροερα, .i. μύνα παῖβ ὑρροερα ἰν ἀν
ἰνναρβα αὖ λα βῖτῆ αὖα ρῖρ ροεῖρῖν. Οὐ πατῆεῖρ, .i. οὖνα ἀτῆεῖρ
οὐ ρολλυρ αὖ ραδῶναιρ ραδῶν ἰν ἀν ἰνναρβα].

Μας ροδμα fine.

.1. μα οἶα ροῖβ ἰν fine ἰνα ρο αἰτίτην ρεφ ἰν ρε αῖρ α ροῖχ
οἰαβλῶ οῖρῖν, .i. μύνα τῆανῖε αἰμῖρῖν βῖατῆ, οὖρ οἶα τι, ἡ
οἰμῖζῖτῖν ρῖατῖν, οὖρ οἰεαοῖτ οὐ ῖν; οὖρ ρῖαν οἰβ
ῖρ ρε ἰν μῖρ, ἀτῆ αἰτῆζῖν α ρατῆα οἰν πλάτ ἀματῆ οἶα βετῖν
ἰνα αἰτίτην; αἰτῖν οὖνα οἰαβλῶ ὑαοῖβ ἰμῖρῖν οὐ ῖν ἀματῆ,
οἶα ἰνβετ ἰνα αἰτίτην οὐ ἡαμῖρῖν βῖατῆ.

Sic.

1ῖ αἰτῆζῖν ἰνν ρεβ ρο νερῖτῖρ.

.1. αῖρ ἵρ αἰτῆζῖν ἀτῆαῖρζῖτῆρ οὐ ρῖρ ροεῖζῆν οὐ ζῖρ, ρο ρεαβυρ
ῖν ἡῖρῖν; οὖρ ροεῖζῆν ρῖλ ἀν.

Μα ροεῖζῖν οὐ ρῖατῆ οὖρ οὐ fine, ἵρ αἰτῆζῖν ἡμα.

Μαρ ροεῖζῖν οὐ νεατῖρ οὐ, ἵρ οἰαβλῶ ἡμα ἵρ ἰν πατῆ.

Μα ἰνναρβα οὐ νεατῖρ οὐ ἵρ αἰτῆζῖν ἡμα. Μα ἰνναρβα
ὑαοῖβ ἀνὸρ, ἵρ οἰαβλῶ οἰβ ἀνὸρ ἵαρ ἡατῆμῖν.

o'D. 1095. [Μα βεῖτῆ ἰνναρβα οἰρ οἰεῖζῆ οὐ ροτῖαῖβ, ἡα βῖτ
αβῖτ οἰαῖζ ἀνρῖβ οἰαῖλ, ἵρ οἰαβλῶ ἵαρ ἡατῆμῖν,
ατῆ ματ οἰαμῖν οὐ οἰαβλῶ, ἡα ρορὸζῖα πῖατῆ
ροτῖαῖβ ἡα ροτῖ ἰνὸζῖτ οἰρ.

Μα βεῖτῆ, .i. ματῶ ροῖβ ἀν ἰνν ἰνναρβα, ἵρ οἰρ οἰεῖζῆ ἡμα
οἰαῖν, οἰρ ἰν ροἰατ οἰατ οἰν ὀελε ἀματῆ οἰνναρβα ἀματῆ αῖρ.
Οἰατ οἰαῖζ, .i. ἡοον αῖρ ρῖατ οἰατῖν ἡῖρ αἰε οὐ ἡατῖν ἀν
ὑρροερα, ἡο ἡοἰαρβα τῖρ ροῖρῖν ἵρ ἡα ρῖρῖν ῖν, ἀτῆ αῖρ οἰαῖν
ἡατῖν ρῖν βῖτῖν. 1ῖ οἰαβλῶ, .i. ἵρ οἰαβλῶ ἵαρῖν α ἡατῖν ἡα

¹ *Restitution*.—Vide 1st gloss., p. 309.

goes, i.e. to one-third. If neither *the chief nor the tribe* have acknowledged, i.e. unless the chief or the tribe were in acknowledgment of it. Nor returned, i.e. unless they sent back the 'seds' which had been given as stock. Restitution is *to be made*, i.e. restitution¹ is to be made in property as good as had been given, and both equally have warning. No warning, i.e. unless there had been warning given by them respecting the returning before one that was looking on. Returning, i.e. with returning plainly in the presence of witnesses as to the returning.

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If the tribe acknowledge.

That is, if the tribe was in perfect acknowledgment of it (*the stock*) during the time in which double would come upon them, i.e. unless the time for rendering the food has arrived, and if it has, they cannot oppose it, but they can until then; and they are free from *fin*es for the space of a month, but so as they give restitution of his stock to the chief when they are in acknowledgment; but they shall render restitution with its double from that forth, should they be in acknowledgment till the time of rendering the food.

Restitution as it was received.

That is, restitution is always paid by the person who warns, in as good state as it was given him; and warning *only* is in question.

If there be warning *given by both* the chief and the tribe, there is restitution only.

If there be warning by either of them, there is double only for the stock *to be paid*.

If there be returning by either of them, there is restitution only. If there be returning by them both, there is forfeiture to both after ten days.

If there be returning it is right to go to prove it with the property, so as it was not by any intentional trick the notice was given, it shall be forfeited in ten days, if there be no incapacity or exemption, unless the chief being wealthy has cleared the 'seds' which he had unlawfully given.

If there be returning, i.e. if what was sent away exists, it is right to go to prove it, with the property which had been given to the tenant outside, and which is to be returned again. Intentional trick, i.e. that it be not at the voluntary word of another that they give the notice, or made the returning by passing through such processes, but for the sake of benefiting themselves. It shall be

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dechmaíde na reoit inoarbha. Achit ma, .i. ata aét lium ann in inbair na caemnacair neé a innoarbha, ir inann do ocur do neé he. No turbairde, .i. do bit ar in innuir cetna. Mana foroglaana, .i. muna firglaana in flait deé fogaltaí cuiri amach na reotu eirnear anunn cu hinoligteé, baird a noilri do luét tall, a duálgur innoarbha, o bair innoarbha orro.]

Tolairch ainreb obail.

.1. munub ar obloiréet do ne in innoirbaird .i. nochan ar fuach toltunuch do neirum in obloiréecht rin ir na fir réib rin, acht do díchur na ret, no nochan ghaé toile do rat re aruó aét do dicur na ret, .i. nochan ar foccul toltunuch nech eile do netrium in urfogra rin, no innoirbaird tre foriubal ir na fir réib, aét ar daisin marthiura riu buéin.

Muna forglaana flaitch foluib na reota inoligthecha eirniur.

.1. muna firglaana in flait deéfoltuch amach na reotuó po ernuó amach (no amuich) co hinoligteé, baird a noilri don luét amuig (no tall) a duálgur innoirbaird, o bair innoirbaird orro, .i. arato for cele, ocur a fognum toib. Ocur it lair a reoit inoilri cin innoirbaird on flait, .i. in flait do rat in foluib.

o'D. 1096. [Atait réet mbeorairda do flaitib ocur a naircail-
nib unir fuairlice dlisid do coraid; imraird
imroga co nairtuu ocur loguó, cen anfolta nechtar
dalina. Adgeinithir reoit fairne inepenairer, acht
ni ina teilge logad nairtiten, ocur ar doidai forraird
romuini, coro rairat cen imdiubairt, co romaine
neich po fallairger.

Atait réet, .i. atait réet mbeoraird, réet rairde do na buib, no
réet mbeo raird, réet rairt eturdu ina mbechaid itir na flaitib

¹ *Intentional trick.* The MS. appears to be defective here.

² *Within.* The words in parentheses in the Irish are aliter readings in the MS., i.e., over the letter 'a' in the word 'amach,' (outward), the letters 'ui' are written, intimating that the word should perhaps be 'amuich,' (outside); and over the word 'amuig,' (outside), the words 'no tall,' (on the other side), are written.

forfeited, i.e. the returned 'seds' shall become forfeited after the expiration of ten. days. If there be *no incapacity*, i.e. I make an exception in the case when one is not able to effect the returning, it (*the wish*) is the same to him, as if he had done it. Or exemption, i.e. existing at the time in the same way. Unless he has cleared *the 'seds'*, i.e. unless the qualified chief has cleared *and carried* to himself the 'seds' which he had given out *on interest* illegally, they shall be forfeited to the people within, in right of returning, when the returning has taken place.

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Intentional trick¹.

That is, unless returning has been done by deceit, i.e. that it be not at the designing word *of another* they practice this deceit in these processes, but to send out the 'seds,' or that it was not at the designing word *of another* that they gave notice, but to dismiss the 'seds,' i.e. that it was not at the designing word of another person that they gave this notice, or effected the returning by passing through these processes, but for the sake of benefiting themselves.

Unless the chief being wealthy has cleared the 'seds' he has unlawfully given, &c.

That is, unless the wealthy chief clears out the 'seds' which he had given out unlawfully, they shall become forfeited to the people within² by right of returning, when they had been returned, i.e. the tenants shall be bound to *their bargains*, and shall render service. And unless the chief has made returning, i.e. the chief who gave the property, *the other* shall have the unlawful 'seds' back.

There are seven separations in their lifetime between the chiefs and their tenants which dissolve the law of their engagements: a separation from choice with accepting and remitting, without any disqualification on either side. The 'seds' are produced as they were given, except what the price of accepting takes away, and the overplus of profits subtracts, so that they separate without fraud, and return is *made* of that which had been neglected.

There are seven *separations*, i.e. there are seven life separations, seven separations by the living, or seven living separations, seven separations in their lifetime between the chiefs and the people who have by choice come into a state

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ocur in luét leirim uca togaróe ceilpíne doib, .i. a ceile. Unir ruar-
laice, .i. ir eim uatuarlaice caé dlize ro baí eapra for coraib
cur orara, don plait on ceile ocur don éile on plait. Imrcarao,
.i. imrcar ir eim togaróe leo araeu do nia, .i. toga la cehtar de
in timrcarao. Co nairitiu, .i. ac in ceili .i. on laith. Loguo,
.i. acon plait, .i. on cheile. Cen anpolt, .i. cen orochpolt ac
nechtar de mōannat rin. Ogeinichir, .i. aca geinir na reoir pon
raire ro hepneo iat irin rath. Acht ní ima teile, .i. aét an
eimceileger luéu a airitigéi don plait ar a oem. Ar doioai,
.i. uair doioaier ar in plait in imrcarao romane, biata, ocur
manéuine tuc in ceile. Copo rcara, .i. cupa eterrcara cen
emouibairt neir oib aca éile. Somaine, .i. biat na bliatna a
neterrcara.]

Fuél reét mbeoragatha ir bris brar,
lar pluinuio runn a reanar,
Ler norluagat liubuir líb,
O plathuib dia nairiluib.
Ucu comaduir ceatuir de,
Taécur ocur timgaire,
Achpóluir éana ro leé,
Féb norpóluir comatig;
Compreca nan pólaó narp,
On éile fri plait forarp;
Fri dan urglan, pluinneir re,
Aca noiumuio aro raibre.
Tuét nat coire ro cloir
Fri porceann plata ir pollur,
Féb a reéta—reéta in rreth,—
Frieth a póluir ríleó.

Imrcar imtoza ro itir plait ocur a céli, ocur aétin a ratha
ocur a ret turcluire don plait ann, ocur aétin bíó na bliatna
i noenuit imrcar, ocur comarougaio itir a comloigéib, no itir in
rath tar airpóig ocur in urainoig, ocur aroé oib aza mbe in
imurcuir íaó re cele; ocur ma mairit a rath in tan do nia
imrcar, ir airuc do amuil mairuir, aro dooluis é, uair aia
dorpoimle aer ocur rognuih.

Muna mairuinn itir, ir a airuc pon reabur tucaro é irin
rath, aro be auiú, gnath no ingnath, rucaitir é cinmoéta galur

¹ *Death.* The reading in O'D., 1097, is "aíreo," which is the more usual
spelling of the word translated "death."

of tenancy to them, i.e. their tenants. Which dissolve, i.e. it is quickly they dissolve every lien which was between them respecting contracts hitherto, for the chief from the tenant and for the tenant from the chief. A separation *from choice*, i.e. they make separation by mutual agreement,^a i.e. both of them make the separation from choice. With accepting, i.e. by the tenant, i.e. from the chief. And remitting, i.e. with the chief, i.e. from the tenant. Without any disqualification, i.e. without any disqualification on either side at that time. The 'seds' are produced, i.e. the 'seds' are produced in the same good condition in which they were given as stock. But what *the price of accepting* takes away, i.e. but what the price of their acceptance by the chief takes away by his consent. And *the overplus* subtracts, i.e. for the overplus of profits, food, and labour which the tenant had rendered must be withheld from the chief. So that they separate, i.e. so that they separate without either of them cheating the other, *but a proper balance being struck and all demands paid*. And return, i.e. the food of the year in which they separated.

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—
Ir. Chosen
by both.

There are seven life separations of great force
(After being mentioned here in the 'Sencus,'
Which books completely describe to you),
From chieftains by their tenants,
By equal choice of both parties,
By returning and withdrawing,
By disqualification of law separately,
As the neighbours shall arbitrate;
Return for the great wealth,
To be made by the tenant to the noble chief;
By noble art, be it mentioned here,
If their poverty refuses.
A form which is not proper—it was heard,—
For the ending of chieftaincy, it is manifest,
As the seven—a curious series—
Were found in the words of poets.

This is *in the case of* a separation *made* from choice between the chief and his tenant, at which the chief shall have restitution of his stock and of his returnable 'seds,' and restitution of the food of the year in which they separate, and a balance struck between their mutual accounts, or between the overplus stock and the overplus of the rent, and whichever of them has the overplus, he shall pay the other; and if the *cattle given as stock* are alive when they separate, they must be restored to him in the condition in which they are, be they ever so poor, for they may have been wasted by age and service.

If they be not living at all, *similar* cattle must be restored in as good condition as those that had been given as stock, by what death¹

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bunuid cinnite, no cunnatabartach na platha fpu ré niubáile
aicintha na fét.

Nocha nfuilte beo fgartha daíreagaó itir in cele ocuf a pu
rein, áit eturruo ocuf fu eétrunn, ocuf drio platha eétrunn,
atait beo fgartha daíreagaó.

Sic.

Ma fgaru fgaru ocuf bu beofgaru, nin ni ara
raema platha do romuine naó bu a techta ann, ni
duibur plaithe de a lo imfgar, ma do go a foluid fpu
der.

Ma fgaru, .i. ma fgaru fgaru ocuf bu fgaru na mbeaúó.
Ni ara raema, .i. an fgaru in plaithe ra romuine biaa ocuf
manchuine, nocha bu a dleó ann. Ni duibur plaithe, .i. nocha
noibur in plaithe in lo do nia eimfgaru. Ocuf cairde tucuf-
tar in plaithe imin ra biaó ann, ocuf a ie fgar a lo imfgar. Ma do go
a foluid fpu der, [.i. ma comlan a foluid fpu a éileib], .i. each
ni for raeda in plaithe ar lobuó lair in cele cor a la fgaru do renur
dorum in lo degnach.

O'D. 1097. [Ma marathar feoit eirner plaithe, cia doorroimli
aer ocuf fognam, ma fpuirfognaithen romaine co
ngaire techta, ni obunó plaithe a feotu cenibad fpu
reib no rath.

Ma marathar feoit, .i. ma maru na feoit eirner in plaithe in
raé. Cia doorroimli aer, .i. cia éaite aer na bu. Fognam, .i. na
heoó, ocuf na dama, .i. conoat crina. Ma fpuirfognaithen, .i. maia
fognaithen don plaithe imin romaine dleó in a biaó. Co ngaire, .i.
in in manchuine. Ni obunó, .i. nocha dleó don plaithe anobad na fét
tucuf tar in raé cen cu fpu iat in la do nia imfgar don febur no
eruirter in raé iat.

Imfcaru doeluisigter plaithe fpu aigillni na bit

soever, usual or unusual, they (*the original stock*) may have been carried off, except *in case of* certain original disease or doubtful disease of the chief's *stock* during the natural period of the 'seds.'

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There is no separation to be considered during life between the tenant and his own king, but it is only between him and an external king, and an external chieftain, that separations during lifetime are to be considered.

If they separate, and that during lifetime, whatever profits the chief has consented to, but which are not the lawful *amount*, the chief shall not be defrauded on account of it on the day of the separation, if he has given the full *amount of* goods to the tenant.

If they separate, i.e. if they separate and that the separation be in their lifetime. Whatever *profits he (the chief)* has consented to, i.e. whatever the chief has truly consented to receive of his returns of food and labour, and which is not his *full* right. The chief shall not be defrauded, i.e. the chief shall not be defrauded of it the day on which they separate. In this case the chief has given respite for the payment of the two food *tributes*, but they must be paid to him on the day of the separation. If he has given the full *amount of* goods, i.e. if *he has given* the full stock to his tenants, i.e. everything which the chief has left by neglect *in demanding it* with the tenant till the day of their separation shall be paid to him on the last day.

If the 'seds' which the chief had given be living, though age and service may have wasted them, if the profits have been rendered with the lawful service, the chief shall not refuse *to accept of* his 'seds' although they are not worth what they were when he gave them *as stock*.

If the 'seds' be living, i.e. if the 'seds' be living which the chief had given as stock. Though age may have wasted them, i.e. though age may have wasted the cows. Service, i.e. the horses and the oxen, i.e. which are grown old. If *the profits* have been rendered, i.e. if the chief has been served by the commodities which are due to him for his food. With the *lawful* service, i.e. as to the work. *The chief* shall not refuse, i.e. it is not right for the chief to refuse *to accept of* the 'seds' which he had given as the stock although they are not of the same value on the day that they separate as they were when they were given as stock.

In a separation which the chief requests from the

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anfolaid in ceili gaidter ann, po paccaib flaiti trian
uib. Munabat ucca lar in ceile, ip ecen donimairg
do mair a flaiti, ar dligid each flait a peir, maó
rofoltach.

Alithgin do flait acht trian paccaib uib, munab ar
diuimunn in ceili lar in flaiti, na bi anfoltach nech-
tar da lina coró rearat. Ippod beinnar an folá
timgairi, trian paccaib iarum ma fpuirpoghaithi
flaiti foltaib.

Imrearat, .i. in timreap doélaiger in flait ar in ti leirín uca
éogaird ceilrine do. Na bi anfolaid, .i. nocan iat roéfolaid in
ceili gabair and. Trian uib, .i. ar reath timgairi. Munabat ucca
lar in ceile, .i. munab uccogaird leir in ceile. Ip ecen, .i. cenp toga,
.i. conat ecen dligid timaircear ar a flait do peir. Al peir, .i. do
éailib. Alithgin, .i. na reat. Acht trian, .i. ar reat timgairi.
Munab ar diuimunn, .i. munab ar diuimaird in ceile iur in flaiti
do ní imreap fpuir. Na bi anfoltach, .i. muni rabat roéfolaid ac
nectar de in da nannat rin. Coró rearat, .i. co ndearnat imreap.
Ippod beinnar, .i. ipi roéfolaid ar beinnur trian imme timgairi do
bi aice. Ma fpuirpoghaithi, .i. maóia pognaitheir in flait in na
foltaib dligir, ip and ata fann. Foltaib, .i. biathaó ocuir manéime.

In timreap doélaigir flait fpuir aigillni, uilri trian in raéa
ocuir in treoit tuicluide uilí don ceile ann, ocuir uilri bió na
bliatona i netairrearat, ocuir aigir na comloigir on flaiti, ocuir
uilri na comloigir don ceili; ocuir alithgin feib po rath ip in
da trian aili don flaiti.

Imrearat athcuir cen anfolta flaiti fpuir nath-
cuirteir, na bi ar digne, acht accobria fpuir, na bi ar
telgid do flaiti aili, alithgin con diabul dpingid

tenant not on account of any disqualification of the tenant, the chief shall forfeit one-third of them (*the 'seds'*). If the tenant submit not he shall serve the chief by increased services, for every chief is entitled to service, if he (*the tenant*) is qualified.

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Restitution *is due* to the chief, except one-third which he leaves of them (*the 'seds'*), unless it be out of contempt of the tenant for the chief that they separate, when there is no disqualification on either side. What subtracts from the stock is the recalling, and one-third is subtracted if the *proper* services have been rendered to the chief.

A separation, i.e. the separation which the chief requests of the person who had chosen to be in tenancy to him. No disqualification, i.e. it is not the bad qualifications of the tenant that are the cause of it. One-third of them, i.e. on account of recalling. If the tenant submit not, i.e. unless the tenant chooses. He shall *serve*, i.e. if he has chosen, i.e. he must submit to the law which his chief shall impose upon him. Service, i.e. from the tenants. Restitution, i.e. of the '*seds*.' Except one-third, i.e. on account of recalling. Unless it be out of contempt, i.e. unless it be out of disrespect *on the part* of the tenant for the chief that he separates from him. When there is no disqualification, i.e. unless there be disqualifications on either side. That they separate, i.e. when they make the separation. What subtracts, i.e. the recalling is the bad qualification which subtracts the one-third. If the *proper services* have been rendered, i.e. if the chief has been rendered the services which were due to him, it is then this is so. Services, i.e. the food and the labour.

In the separation which the chief requests from the '*aigillne*'-tenant, the one-third of the stock and of all the returnable '*seds*' are forfeited to the tenant, and the food of the year in which they separate is forfeited, and the '*comloigthe*'-payments made must be returned by the chief, and the '*comloigthe*'-payments are due to the tenant; but restitution of the other two-thirds of the stock shall be made to the chief in the same condition that he gave them.

In a separation by return *of the stock* without any disqualification of the chief to whom the return *of stock* is made, when there is no contempt *intended*, but desire of '*saer*'-stock tenure, when there is no removal to another chief it is justly said that restitution with its

double *is to be paid*; for every restitution is perfect till bad faith *is proved*; every contempt which is shown to authority is bad faith; every profit is increased to double in what is failed in, except the fixed 'smacht'-fine for failure of 'aigillne'-tenancy. And there shall be double of the profits of the year in which the returning of *the stock* takes place, if the chief to whom the return of stock is made, is qualified.

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Separation, i.e. separation by the return of *the stock* by the tenant without any disqualification of the chief to whom the returning is made. When there is no contempt, i.e. it is not out of contempt of the chief. But desire of 'saer'-stock tenure, i.e. but on account of his great desire for 'saer'-stock tenure, i.e. the tenant's. When there is no removal to another chief, i.e. it is not for the purpose of going over to another chief. Restitution, i.e. restitution of his stock, and his returnable 'seds' with double, is made to the chief. Justly said, i.e. this is said or stated honestly. For every restitution is perfect, i.e. for perfect restitution is due here. Bad faith, i.e. it is bad faith for him to have contempt in this case. Bad faith, i.e. it is bad faith for the person who contemns him to whom he owes submission or tenancy service. Authority, i.e. every service of food and labour shall be made good, with double to the chief, i.e. every unintentional dishonesty. Except, i.e. what is failed in as to the tenancy service due to the chief. The fixed 'smacht'-fine, i.e. except the fine that is imposed for the failure of the service in the case of option of tenancy, except the 'cumhal,' for this shall not be imposed, or should it be, it shall not be doubled. Double of *the profits*, i.e. double of the food of the year in which they separate. If qualified, i.e. if the chief to whom the return of *his stock* is made is qualified. To whom the return is made, i.e. to whom the stock is returned.

This latter case is a separation which the tenant makes from the chief from a desire of 'saer'-stock tenure. In this case restitution of his stock and of his returnable 'seds,' and of the food of the year in which they separate, with the double of them all is to be made to the chief, and the return of the arrears remitted by the tenant, and the forfeiture of the arrears remitted to the chief.

In this case the chief had borne false judgment or false testimony against the tenant; and even if it were against another person he had borne them, it would be a crime sufficient to entitle the tenant to separate from him, from his fear of the same being done to himself; and an adjustment shall be made between the stock and the seven victuallings, as if the chief were dead, and whichever of them had the excess, he shall pay the other; and though he was evaded as to his food, his bad qualification disentitles him, so that he shall have but restitution of his stock.

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Imrcarad fpu anfolta flatha, maó ri ber anfol-
tach, rcaraó cen imdiupairt, conpólaithet colla ret
raire in epenaitet fpu romaine, ma fpuropognaithet
con gaire techta. Mani fpuithropognaithet, arpenat anfo-
laio flatha fuillima, ferðair colla ret maithcuir,
mana fpuropognaithet.

Imrcarad, .i. in timrcarad do niat tre orófoltaib na flata.
Maó ri, .i. maó he in flait ber orófoltach. Scarad, .i. rcaraó cen
emdiubarit neic oib aca éile. Conpólaithet, .i. ip can poeileitget
colla na ret fon raire no heinit iat ip in rath. Epenaitet, .i. can
éile. Fpu romaine, .i. fpu in mbiataó ocuf fpu in mancuine.
Ma fpuropognaithet, .i. ma tainic amfer in fognuma min mbiat.
Con gaire, .i. im in mancuine. Mani fpuithropognaithet, .i. muna
éainic amfer in fognuma. Arpenat, .i. arimmit, .i. aipimtoibit a
orófoltaio min flait na tabair fuillim do re rath. Ferðair, .i.
atáirgetet aithgin colla a ret oáur do. Mana fpuropognaithet,
.i. muna éainic amfer in fpu fognuma.]

Imrgarud fpu anfolta flatha.

.i. ip iat anfolta a veir ann ag in flait gurpgeil no
guaridónuir, .i. ar nach eile ar eagluide lair a denum
lair fén; ocuf da maó ar cele buoin, nocha luga ler
ina diumunn, ocuf co necuit a celide uoin imrgar per,
uair ip eirruic é; ocuf comarouga etir in mbiataó ocuf in
mancuine, amuil bu marb in flait ann; ocuf in rath, ocuf in
ret turcluide; ocuf gto be oib aca mbe in imurcuio icuit re
éile. Ma tainic amfuir in fognuma ip ann ata rin; ocuf muna
tainic, ip aithin a raia ocuf a ret turcluide don flait, ocuf
airuic na comloithe on flait, ocuf oib na comloigte don
cele.

In a separation in consequence of the bad qualifications of the chief, if it be he that is disqualified, —a separation without defrauding—the original ‘seds,’ in the same condition in which they were given, shall be balanced against the services, if the services have been rendered in proper work. If the services have not been rendered, the disqualifications of the chief shall deprive him of interest, but the original ‘seds’ must be returned, if the services have not been rendered.

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Separation, i.e. the separation which they make through the disqualifications of the chief. If it be he, i.e. if it be the chief that is disqualified. A separation *without defrauding*, i.e. a separation without defrauding each other. Shall be balanced, i.e. the original ‘seds’ as they were given in the stock shall be fairly counterbalanced. They were given, i.e. to the tenant. Against the services, i.e. against the victuallings and the labour. If the services have been rendered, i.e. if the time of rendering the food service had arrived. In *proper work*, i.e. in the manual labour. If the services have not been rendered, i.e. unless the time of the service has arrived. Shall deprive, i.e. his disqualification takes away, i.e. deprives the chief of *his right* to receive interest with his stock. Must be returned, i.e. the original ‘seds’ are bound to be returned to him. If the services have not been rendered, i.e. if the time of rendering the services has not arrived.

Separation on account of the bad qualifications of the chief.

That is, the bad qualifications mentioned here on the part of the chief are false judgment or false witness, i.e. *which he bore* against another from his fear of the same being done to himself; and if *he has acted thus* towards his own tenant, it is no less to him than contempt, and his own tenants can separate from him, for he is unworthy; and an adjustment *shall be made* between the victualling and the labour, as if the chief were dead, and the stock and the returnable ‘seds;’ and whichever of them has the excess shall pay the other. This is the case if the time of the service has arrived; and if it has not arrived, the chief shall have restitution of his stock and his returnable seds, and the ‘comhloighthe’-settlement shall be returned by the chief, and the ‘comhloighthe’-settlement shall be forfeited to the tenant.

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TENURE.
O'D. 1100.

[Imreapad fpu hanmolta aicillne, mað anpoltach in cele fpu in plait, arpen ar cach naicgin cona diuui, amail bið gao po gatað. Acht ið cuicce peithið an diui co tairpeðtar i lan loð einach na plata, ni fuillend diui ðar roðain, la ðiabul naichgina cach colla ocur cach peoit, la ðiabul fuillima, mate nama anpolaid in cele falla ppuithnama.]

Imreapad, .i. in timreap do nitep tpe roðepoltach in ðeile. Mað anpoltach in cele, .i. mað roðepoltach in ceile fpu in plait im na neicb fpu. Cona diuui, .i. cur in ni ið diuile. Amail bið gao, .i. in lan ðipe ocur in leð ðipe ocur in trian ðipe do pite pe tri petab dið. Acht ið cuicce, .i. ata aðt lium ano curab e aipeð peitep in ðipe fpu cu ti lan loð eneð na platha de. Ni fuillend, .i. nocon foile- aðann a ðipe ðar inni aðairin. La ðiabul, .i. la aichgin cona ðiablað cað neic do colann in paða, ocur in tpeit tpeclaipe fpu na peit in ðipe. Cach colla, .i. in paith. La ðiabul fuillima, .i. biato na bliatna a neapreapad, .i. cumal ocur ðiablað in bið. Mate nama, .i. mað iat roðepolað bep ac in ðeile nama, fail do ðenum in ppuenai, ið ano ata pain.]

Imreapad fpu anpoltach aicillne peo; ocur ið iat anpoluid uil aig in cele ann, fail ppuichnuma do ðenum in na ppuin biatuid. Ipeð ið fail ppuichnuma cin biat do toppachtuin ina uide ice coip. Lan ðipe, ocur leð ðipe, ocur trian ðipe do pith pe gao tri petuib do colunn in paða ocur in pet tpecluid, co ti loð einuð na plata de; ocur ma ta ni don pet tpecluid peð na peð in enuclunn, ið aicgin ppe cuna ðiabluð, ocur aicgin gao neð peð i peð, ocur ðiabluð bið na bliatna i neapreapad, ocur aipuc na comloigthe on cele, ocur uilri na comloigthe don plait, ocur cumul; no ðono, co na beð cumul do gpep, acht a mbiao tpeapb no pgeathuch.

¹ *Disqualifications.* The word 'anmolta' rendered disqualifications here, seems to be a clerical error for 'anpoltach,' which occurs several times in the laws, and is found in the corresponding passage of the other MS. H. 3, 17, or O'D. 291.

*In a separation on account of disqualifications*¹ as to tenancy, if the tenant be disqualified towards the chief, he shall pay restitution with 'dire'-fine, as if it were theft that had been committed. But it is to him the 'dire'-fine shall accumulate till it amounts to the full honor-price of the chief—the 'dire'-fine does not increase beyond that—with double restitution of the original *stock* and the *returnable* 'seds', with double interest, if neglect of service was the only disqualification of the tenant.

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A separation, i.e. the separation which is made in consequence of the disqualifications of the tenant. If the tenant be disqualified, i.e. if the tenant be disqualified in relation to the chief in these things. With 'dire'-fine, i.e. with the thing that is due in addition to it. As if it were theft, i.e. full 'dire'-fine and half 'dire'-fine, and one-third 'dire'-fine shall accumulate on three 'seds' of them. But it is to him, i.e. I have an exception, that the extent to which the 'dire'-fine runs is until it amount to the full honor-price of the chief. The 'dire'-fine does not increase, i.e. the 'dire'-fine does not increase beyond that particular. With double *restitution*, i.e. restitution with double of everything of the original stock, and of the returnable 'seds' with which the 'dire'-fine runs. The original, i.e. of the stock. With double interest, i.e. the food of the year in which they separate, i.e. the 'cumhal' and double of the food. If it was the only *disqualification*, i.e. if the only disqualifications of the tenant be to have neglected the service, it is then it is so.

This is a separation on account of disqualifications as to tenancy; and the disqualifications of the tenant are his having neglected to perform the service respecting the principal victuallings. Neglect of the service means not to forward the food at the period of its payment. Full 'dire'-fine, and half 'dire'-fine, and one-third 'dire'-fine shall run with every three 'seds' of the original stock and of the returnable 'seds,' until it amounts to the honor-price of the chief; and if there be any part of the returnable 'seds' with which the honor-price does not accumulate, the restitution of that with its double, and the restitution of everything with which it runs *shall be paid*, and the double of the food of the year in which they separate, and the return of the 'comhloighthe'-settlement by the tenant, and the forfeiture of the 'comhloighthe'-settlement to the chief, and a 'cumhal' *as a fine*; or indeed *according to others* the 'cumhal' *as a fine* is not always due, but in case of bitter or mawkish food.

‘CAIN
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TENURE.
—
O’D. 1101.

[Óit dono anpolaio beca anó éana na tuillet aniriu,
acht iccaidtar ppar in flaithe ar a pepar fadepirín, ma
beith ina poltaib coirib, apur anó óligio flaithe in
puillet pa.

Óit dono anpolaio, .i. bio órópolaio beca anó éana, ocup noco
tuillet no noco aipititiget in ni seo aorubrumar romaino innitib,
.i. paimit, ocup cummep níl. Ar a pepar fadepirín, .i. a pepar óligio
a fmaict paim innitib. Ma beith, .i. maia roib in flaithe ip na poltaib
ólegar de do pepar éoir. Apur anó, .i. aorubrumar romaino.

Impearaio contethgatar anpolaio céatar dalina,
an am inóda ppecriat anpolaio po curpuma, ipcaraio
cen imóiuibairt doib, co romaine ocup aithgin feib po
pactha, imóenat píaóain inrice atconóapcatar in tan
po pactha; no iarum ip a pepar bpeitheaman achepano
doib apreniár a romaine ma beith anó.

Impearaio, .i. in timpearaio coitcénnaisit órópolaio céatar de
inóanainat rin, in flaithe ocup in ceile po curpuma. An am, .i. an uair
pcurar órópola aiaé roib a éile. Ipcaraio cen imóiuibairt, .i.
pcaraio doib can emóiuibairt neich roib aca ceile, .i. ni éit a nairim
colla runn romaine mbíó, uair ipao móligis óiblinuib. Co romaine,
.i. bio na bliáóna a netaprcaraio. Aithgin feib po pactha, .i.
aithgin in pactha ocup in peoit tynclaire pon pepar po hepneo iat.
Imóenat píaóain, .i. ip eim do niaa na píaóain innpae cu pacatar
iat in tan po hepneo na peoit ip in pact. No iarum, .i. ar a haititit.
Ip a pepar bpeitheaman, .i. ip a pepar in bpeitheaman ip an-arpann
doib in in romaine eipnitép acu, maia roib eypéu anó int impear
no in impearin, .i. uair ipat móligis óiblinuib. Ar romaine, .i. na
peoit do bio ocup pactha.

¹ *Curds*. This is explained in O’D., 520, as a collation of curds and butter and milk which is given in the summer.

² *Cheese*. This is also explained in O’D., 520, as a feast which is given to the chief in the time of the ‘creamh’ (wild garlic harvest). It consisted of cheese and milk.

³ *Defrauding the other*. In O’D. 292, there is added here, .i. comairm itir in mbiaó, ocup in tuar ocup in loir ocup in mbliét; muna be loí in

There are also minor disqualifications which do not merit this thing, but payment shall be made to the chief according to his own will, if he be in his proper qualifications, for it is then the chief is entitled to this addition.

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There are *minor* disqualifications, i.e. there are also small disqualifications, and they do not deserve or merit this thing which we have said before *as a fine or penalty* for them, (i.e. neglect of service respecting the *minor foods*), i.e. curds¹ and butter and milk collation, and the cheese² and milk feast, &c. According to his own will, i.e. according to law he (*the chief*) has his own 'smacht'-fine for them. If he be, i.e. if the chief be in possession of the qualifications which he ought to have by right. For it is then, i.e. as we have said before.

In a separation caused by the disqualifications of both parties, when the disqualifications correspond equally, they part without any defrauding, with services and restitution of *the stock* as it was given, which is proved by worthy witnesses who saw the stock when it was given; or afterwards it is according to the adjudication of an external party they shall pay the services if *the separation* takes place.

A separation, i.e. the separation which the disqualifications of both the parties unite to bring about, i.e. the chief and the tenant equally. When, i.e. when the disqualifications of both correspond *and are equal* to each other. They part without any defrauding, i.e. they separate without the one defrauding the other,³ i.e. the services of the food do not enter into the computation of the original stock, for both are illegal. With service, i.e. the food of the year in which they separate. Restitution of *the stock* as it was given, i.e. restitution of the stock and of the returnable 'seds' in as good a condition as they were given. Which is proved by witnesses, i.e. the worthy witnesses quickly prove that they had seen them when they were being given as stock. Or afterwards, i.e. after that time. It is according to the adjudication, i.e. it is according to the adjudication of an external party between them respecting the services which shall be paid by them, if the separation or the dispute took place, i.e. for both are illegal. Services, i.e. the 'seds' of food and stock.

brō ann, turllceſſer fſur don atthſm. "There is an adjusting here between the food on the one hand, and the manure, the increase, and the milk on the other; if they do not amount to the price of the food, addition shall be made to them out of the restitution, i.e. the stock which was to be returned."

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Imrcar con teathgatar anfolaid cechtar dalina rain; ocur aithgin a ratha ocur a feoit turlaidhe don flait ann fon febur ro ernertar iat i rin rath, ocur aithgin bi na bliadna i netarcarat, ocur comarbugat i rin a comloigib; ocur ar i a deithbir feo ocur in timrcar imtoza thuaf, aithgin in ratha ocur in tfeoit turlaidhe funo fon febur ro heruit, cia maiuit gen cu maiuet, ocur nocu nuil tuaf in ninbaid maiuit, ac̃t a ngabail c̃ro deolaid iat.

Nach flait be ropoltach i ri imandene feib a ret do neoch nao bi dearb la fiaona, ocur i r a peir ietair aithgein ocur fuillium, mana cairiret a subreatha, nach a suporgell, nach a mignima, nach a mifolaid ffaa deir.

Nach flait, .i. nac flait be ropoltac̃ i re do ni imdenu a ret fo febtaro. Feib, .i. febur. Do neoch nao bi dearb, .i. do neoc̃ na bi deimin lair na fiaonab. Ir a peir, .i. ar a breiteimur fein. Fuillium, .i. im in ture, .i. in bi. Mana cairiret, .i. muna eadnet a subreata ar imleat neic̃ ale. Nach a suporgell, .i. ima leat buoin. O mifolaid, .i. nac ropolaid ffaa ceirib, no ffaa fearuio, .i. brath.

Maō in cele tathcuiridter fair ar dimunō lair, i r he ropoltach, oligio log neimech la diabul naithgina a oligio olcena.

Ar dimunō, .i. ar dimiataro leir na flatha, .i. a ra dimano ann fo rir. Ir he ropoltach, .i. i r e ropoltach in flait. Oligio log, .i. oligio enecann in flait. La diabul naithgina, .i. la

¹ Condition. ‘Deolaid,’ means poor, lean, in bad condition.

² Land. The Irish word ‘deir’ means either tenants or land. Vide Stokes, Old Irish Glossaries, pp. 73, 76.

³ The chief. In O’D. 292 there is added here, no ni ffa lair bẽt ac̃e “or he does not think it worth his while to remain with him.”

This is *in the case* of a separation which the disqualifications of both the parties (*the chief and the tenant*) tend equally to bring about; in this the chief shall have restitution of his stock and of his returnable 'seds' in as good condition as he gave them as stock, and restitution of the food of the year in which they separate, and an adjustment shall be made between their 'comhloighthe'-settlements; and the difference between this and the 'separation from choice' above *treated of* is, that *in this case* restitution of the stock and of the returnable 'seds' is made in as good condition as they were given, whether they are living or not living, and in the case above that when they are living, nothing is *prescribed* but to accept of them be they in ever so bad a condition.¹

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—

Every chief who is qualified can prove the goodness of such of his 'seds' as are not certified by the witnesses, and it is according to his *own* will restitution and interest shall be paid, if his false judgments, or his false witness, or his evil deeds, or his disqualifications towards his tenants or land² do not prevent it.

Every chief, i.e. every chief who is qualified is the person who proves his 'seds' as to their goodness. Goodness, i.e. goodness *of condition*. Such as are not certified, i.e. such as are not certain to the witnesses. His *own* will, i.e. according to his own decision. Interest, i.e. as to the 'dire'-fine, i.e. of the food. Do not prevent it, i.e. unless his false judgments to the prejudices of another hinder it. Or his false witness, i.e. in favour of himself. His evil deeds, i.e. his disqualifications, i.e. his bad qualifications towards his tenants, or towards his land, i.e. to betray *them*.

If it be the tenant that returns to him out of contempt to him, when he is qualified, he (*the chief*) is entitled to honor-price with double restitution of all that is due to him.

Out of contempt, i.e. out of disrespect to the chief,³ i.e. two *cases of* contempt here. When he is qualified, i.e. the chief is duly qualified. He is entitled to *honor-price*, i.e. the chief is entitled to honor-price.⁴

⁴ *Entitled to honor-price*. In O'D. 292 there is added here, .i. ennuclunn ro cinnuro ip in ciunmuy ro cetoip; ni hinunn ocuy in ciunpcauro aile aca nanpola, oipe a ruiguro ma luca aro a einectunro. "That is, honor-price was determined for the contempt at once; it is not the same as the other separation in which there are two disqualifications, and for which there is 'dire'-fine when it is less than honor-price."

'CAIN AITHGIN CONA DIABLAO IN NEIC AILE DLIGEF UIL DENA; BIAO NA BIAONA
AIGILLNE,' α ΝΕΤΑΥΡΕΑΡΑΤ ΟCΥΡ CAC NEIC AILE DLIGEF.

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ΜΑΘ ΔΟ ΥΡΓΛΑΝ ΡΙΑ ΠΛΑΙΘ ΑΙΛΕ, ΝΑ ΒΙ ΑΡ ΔΙΟΥΜΥΝΘ, ΙΡ ΛΕΑΘ ΛΟΣ ΕΙΝΑΘ ΝΑ ΠΛΑΘΑ, ΛΑ ΔΙΑΒΥΛ ΝΑΙΘΗΓΙΝΑ ΔΟ CΟΛΛΑΙΒ ΡΕΤ ΟCΥΡ ΔΟ ΡΟΜΑΙΝΕ; ΙΝΓΕ ΜΑΘ ΔΛΙΓΤΕΧΥ ΑΡ ΟΡΟ ΠΛΑΘΑ, ΠΛΑΙΘ CΕΝΙΥΛ ΤΕΧΤΑ, ΝΑ ΉΕ ΔΛΙΓΤΕΧΥ ΑΡ ΡΙΝΤΙΥ, ΙΡ ΤΡΙΑΝ ΛΟΓΕ ΕΙΝΕΘ ΔΟΝ ΠΛΑΙΘ ΡΟΡ Α ΤΑΘ- CΥΡΙCΗΤΕΡ, ΛΑ ΔΙΑΒΥΛ ΝΑΙΘΗΓΕΝΑ Α ΡΕΤ, ΛΑ ΝΙ ΡΟ ΜΕΑΘΑ.

ΜΑΘ ΔΟ ΥΡΓΛΑΝ, .Ι. ΜΑΘ ΡΙΡ ΓΛΑΝΘ ΡΕ ΠΛΑΙΘ ΑΙΛΕ. ΝΑ ΒΙ ΑΡ ΔΙΟΥΜΥΝΘ, .Ι. ΟCΥΡ ΝΟCΑΝ ΑΡ ΔΙΟΜΙΑΘΑΙΘΕ ΛΕΙΡ. ΛΕΑΘ ΛΟΣ ΕΙΝΑΘ, .Ι. ΙΡ ΛΕΙΘ ΕΝΕCΛΑΝΝ ΔΟΝ ΠΛΑΙΘ ΑΝΝ. ΛΑ ΔΙΑΒΥΛ, .Ι. ΛΑ ΑΙΘΓΙΝ CΟΝΑ ΔΙΑΒΛΑΘ ΔΟ ΔΟ CΟΛΛΑΙΒ ΝΑ ΡΕΤ ΤΥCΑΘ ΙΡ ΙΝ ΡΑΤ ΟCΥΡ ΙΡ ΙΝ ΡΕΤ ΤΥΡΙCΛΑΙΘΕ. ΔΟ ΡΟΜΑΙΝΕ, .Ι. ΒΙΑΘ ΝΑ ΒΙΑΘΝΑ Α ΝΕΤΑΥΡΕΑΡΑΤ ΒΕΟΥΡ, .Ι. ΔΙΑΒΛΑΘ ΔΟ ΡΟΜΑΙΝΕ ΙΝ ΒΙΘ. ΜΑΘ ΔΛΙΓΤΕΧΥ, .Ι. ΜΑ ΔΛΙΓΤΙΓΙ ΑΡ ΟΡΟ ΠΛΑΙΘ, ΙΡ CΥΙCΕ ΡΑCΥΡ ΟCΥΡ ΝΙ CΥΜ ΝΕΙΘ ΑΙΛΕ. CΕΝΙΥΛ ΤΕΧΤΑ, .Ι. CΕΝΕΛ ΠΛΑΘΑΔΛΙΓΤΙΓΙ ΕΙΡΕΙC, .Ι. ΜΑC ΠΛΑΘΑ, ΟCΥΡ ΥΑΑΡΑΙΛΕ. ΝΑ ΉΕ ΔΛΙΓΤΕΧΥ, .Ι. ΜΑ ΔΛΙΓΤΙΓΙ, ΙΡ ΤΡΙΑΝ ΡΑCΒΥΡ ΔΟ ΛΟΣ ΕΝΕΘ ΔΟΝ ΠΛΑΙΘ. ΑΡ ΡΙΝΤΙΥ, .Ι. ΑΡ ΡΙΝΙ ΔΥCΑΙC, ΑΡ ΔΥΘΑΙC ΝΑ ΡΙΝΕ. ΤΡΙΑΝ ΛΟΓΕ ΕΙΝΕΘ, .Ι. Α ΕΝΕCΛΑΝΝΘΕ. ΡΟΡ Α ΤΑΘCΥΡΙCΗΤΕΡ, .Ι. Α ΡΑΘΑ ΟCΥΡ Α ΔΕΙΡΥΜΕ. ΛΑ ΔΙΑΒΥΛ, .Ι. ΙΝ ΡΑΘΑ ΟCΥΡ ΙΝ ΤΡΕΟΙΤ ΤΥΡΙCΛΑΙΘΕ. ΛΑ ΝΙ ΡΟ ΜΕΑΘΑ, .Ι. ΛΑ ΔΙΑΒΛΑΘ ΙΝ ΝΕΙΘ ΡΟ ΜΕΘΥΡ ΑΝΝ, ΒΙΑΘ ΝΑ ΒΙΑΘΝΑ Α ΝΕΤΑΥΡΕΑΡΑΤ.

ΙΝ ΤΙΜΥΡΑΡ ΑΡ ΔΙΟΥΜΥΝΘ ΔΟ ΝΙ ΙΝ ΔΕΛΕ ΡΙΡ ΙΝ ΠΛΑΙΘ, ΔΙΑΒΛΑΘ Α ΡΑΘΑ ΟCΥΡ ΡΕΟΙΤ ΤΥΡΙCΛΑΙΘΕ ΔΟΝ ΠΛΑΙΘ ΑΝΝ, ΟCΥΡ ΔΙΑΒΛΑΘ ΒΙΘ ΝΑ ΒΙΑΘΝΑ Α ΝΕΤΑΥΡΕΑΡΑΤ, ΟCΥΡ CΥΜΑΛ ΟCΥΡ ΕΝΕCΛΑΝΝ ΡΕ ΤΑΕΒ ΡΑΙΝ, ΟCΥΡ ΑΙΡΕC ΝΑ CΟΜΛΟΙΓΤΙ ΟΝ ΔΕΛΙ, ΟCΥΡ Α ΝΟΙΛΥ ΔΟΝ ΠΛΑΙΘ.

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¹ *More lawful.* In O'D. 293 there is added here, o mac in boaire's tuis co plait athur ocyr peanathur, "he goes from the son of a 'bo-aire'-chief to the chief whose father and grandfather were chiefs."

With double restitution, i.e. with restitution, and its double of every other thing to which he is entitled; the food of the year in which they separate, and everything else to which he is entitled.

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If it be to clear off to another chief, and not out of contempt *that the tenant separates*, it is half honor-price that is due to the chief, with double restitution of the original 'seds' and of the services; but if he (*the chief to whom he goes over*) be more lawful as to rank, a chief of legitimate family, and if he be more lawful as to tribe property, it is *only* one-third of honor-price that is due to the chief to whom *the stock* is returned, with double restitution of his 'seds,' together with what was failed in.

If it be to clear off, i.e. if to make a true removal to another chief. And not out of contempt, i.e. it is not out of disrespect to him. Half honor-price, i.e. half honor-price is due to the chief for it. With double *restitution*, i.e. with restitution, and its double of the original 'seds' which were given as the stock and as the returnable 'seds.' Of the services, i.e. the food of the year in which they separate also, i.e. double the services of the food. *But if the chief* be more lawful,¹ i.e. if he be more lawful as to chieftain rank, it is to him he will go and not to anyone else. Of legitimate family, i.e. he is of the race of the lawful chief, i.e. the son of a chief, and the grandson of another. If he be more lawful, i.e. if he be more lawful, it is one-third he resigns as honor-price to the chief. As to tribe property, i.e. the hereditary tribe land, the hereditary land of the tribe. One-third of honor-price, i.e. of his honor-price. To whom *the stock* is returned, i.e. his stock and his holding. With double *restitution*, i.e. of the stock and of the returnable 'seds.' With what was failed in, i.e. with double of the thing that was failed in, i.e. the food of the year in which they separate.

In the separation for contempt which the tenant makes from the chief, double his stock and his returnable 'seds' are due to the chief, and double the food of the year in which they separate, and a 'cumhal' and honor-price besides, and repayment of the 'comh-loighthe'-settlements is to be made by the tenant, and they are forfeited to the chief.

If it be not out of contempt at all, but to clear off to another chief, *that the separation is made*, it is half honor-price that is due to the chief for it, and double of his stock and his returnable 'seds,' and double the food of the year in which they separate;

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treoit thurclaiðe, ocur diablað bíd na bliatona a netarpcapac; ocur ní ðligtechu ar orð flata he, ocur ní neyu ar orð rinuiga. Ma ta nechtað de ðib aice, ír trian neineclainde ðon flaithe ann, ocur diablað a rathac ocur a ðfeoit thurclaiðe ðon flaithe ann, ocur diablað bíd na bliatona i netarpcapac. No cona beith acht aithgin, mað taic mað aen aice, ír diablað a rathac ocur a feoit thurclaiðe ðo, ocur aithgin bíd na bliatona i netarpcapac.

Mað ðligtechu ar rinuich ír diabul naithgina ret nama, ocur aithgin romaine. Nach cele ropoltach, ocur mað anpoltach in flaithe, epinric, suach, subreathach, conað fuirb amirer, ocur bíd inðric in cele, ropoltach, íre ðo toing cach nimperan bir eturpu ocur a flaithe; acht forðellat fiadain coitechta inðraice eturpu. Muna bet fiadain occaib, ír a reir in ropoltaig arrienað.

Mað ðligtechu, .i. ar a fine ðuðaið, ar ðuðaið na fine. Ar rinuich, .i. ar bratairp. Diabul naithgina, .i. in flata ocur in feoit thurclaiðe. Aithgin romaine, .i. bíd na bliatona a netarpcapac. Nach cele ropoltach, .i. beð ðeðpoltac in comallat a ðligð. Mað anpoltach, .i. ma ðroðpoltac in flaithe in epinric ocur in inðligð ðo ðenum. Epinric, .i. i mbreirp, .i. in brath. Suach, .i. i laið, .i. in fiadairp. Subreathach, .i. beup breata su. Conað fuirb, .i. co fupbeann a fup umarar he. Inðric, .i. o bupathraib. Ropoltach, .i. ðeðpoltac he o gupraib. Íre ðo toing, .i. íre ðo in inðenum cac imperna bir eturpu ocur a ðigerna. Acht forðellat, .i. ac an fupgic na fiadain comðligtecha inðraice eturpu. Coitechta, .i. ðoirpium. Inðraice, .i. fup cac. Muna bet fiadain occaib, .i. gleep a nimperain. Ír a reir, .i. ír a reir in ðaca mbic na ðeðpoltac epinðer i nimperain ðo gleð. In ropoltaig, .i. in ðeile.]

Mað ðligthuch in ceann cío no cío inðligthuch in meamup, ír bupethiumup, ocur inðenum, ocur fiadairp ðon cinn fop in meamup.

¹ *False judging.* In O'D. 293 there is added here: in ðep neð eile ocur cío in a ðep buðein, ní luðuite ír puðair, “whether it be for the welfare of another or for his own welfare, it does not lessen the enormity of the crime.”

and he (*the chief to whom he went*) is not more lawful as to order of chieftainship, and he is not nearer in point of kindred. If he (*the tenant*) has either of them (*of these reasons to urge*), it is one third honor-price that is *due* to the chief for it, and double of his stock and of his returnable 'seds' is *due* to the chief also, and double the food of the year in which they separate. Or if he has both these *reasons* there is only restitution, and double of his stock and of his returnable 'seds,' and restitution of the food of the year in which they separate.

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If he be more lawful as to kindred it is only double restitution of the 'seds' *that is due*, and restitution of the services. *As to* every duly qualified tenant, if the chief be disqualified, unworthy, lying, false judging, one who impugns the truth, and that the tenant is worthy, qualified, it is he (*the tenant*) that decides every dispute that is between him and his chief; but lawful and worthy witnesses bear testimony between them *if such are to be had*. If they have not witnesses, it is according to the qualified person payment shall be made.

If he be more lawful, i.e. as to the tribe property, the hereditary property of the tribe. As to kindred, i.e. brotherhood. Double restitution, i.e. of the stock and the returnable 'seds.' Restitution of the services, i.e. the food of the year in which they separate. *As to* every duly qualified tenant, i.e. who is qualified as to keeping the law. If *the chief* be disqualified, i.e. if the chief be disqualified by unworthiness and commission of illegality. Unworthy, i.e. in word, i.e. in betraying. Lying, i.e. in swearing, i.e. as to testimony. False judging,¹ i.e. who pronounces false judgments. One who impugns *the truth*, i.e. his knowledge cuts him off from doubt. Worthy, i.e. in words. Qualified, i.e. well qualified by deeds. It is he that decides, i.e. it is he that decides every dispute that is between him and his lord. Bear testimony, i.e. except in what the lawful worthy witnesses bear testimony between them. Lawful, i.e. *equally lawful* to them *both*. Worthy, i.e. to all. If they have not witnesses, i.e. who settle their disputes. It is according to *the qualified person*, i.e. it is according to the person who has the qualifications that the right is ceded of settling their disputes. The qualified person, i.e. the tenant.

If the chief be lawful, and the member *of the tribe* lawful or unlawful, the chief has judgment, and proof, and witnesses upon the member.

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Μαρά δλιγchuch in meamur, ocyr inδλιγchuch in ceann, ir bpeiteamnur, ocyr fiaonuir, ocyr inδenun don meamur air.

Μαρ inδλιγchuch apcen, no cio δλιγchuch in meamur, muna fuil bpeiteamnur aige, no ge ta, munur airbercnuig in bpeiteamnur do bpeit, ir ann ciauit a fuigell a mbeolu acéprunn.

Nach ceile ber ropoltach.

.1. imfgarao fpi hanpoluib platha anhero, ocyr ir iat anpolairó uil aige ann oimunnó. Oílrí trian in ratha don cele ar rgaó timgaire, ocyr lan einclunó don cele do da trian in ratha, ma tig de, ocyr muna tig, ir fuilleo per do petuib eile na platha, co roib lan einclunnn in cele ann, ocyr oílrí a paáa uaoa, ocyr a peoit turcluire, ocyr oílrí bio na bliatona a ndentur in timfgar, ocyr oílrí a comloigte don cele, ocyr airic a comloigte on plait.

Μαρ da tabuiré a rath do cele eile, ocyr ni huairle i ngraó eríde, ocyr ni neara ar upo finnteáda, ocyr ni neara ar romaine biata ina manchuine, na comruinn oiburo, oílrí trian in ratha, ocyr let einclunnn don cele do da trian in ratha; ocyr oílrí a pet turcluire, ocyr oílrí bio na bliatona i ndenut imfgar, ocyr oílrí a comloigte don cele, ocyr airiuc a comloigte don plait.

Μαρά nera i ngraó é, no μαρά neara ar upo finnteáda, no μαρά neara ar romaine biata no manchuine, no ne comruinn oiburo, oílrí trian in rait don ceile ar rgaó timgaire, ocyr trian einclunne don cele do da trian in ratha, ocyr oílrí bio na bliatona i ndentur in timfgar, ocyr oílrí a comloigte don cele, ocyr airiuc a comloigte on plait.

Μαρ uairle á ngraó e, ocyr μαρά neara ar upo finnteáda, ocyr μαρά neara ar romaine biata ocyr manchuine do é, ma ta dega no tpega oib rin aige, oílrí trian in ratha on plait don

If the member be lawful, and the head unlawful, the member has judgment, and witnesses, and proof upon him (*the chief*).

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If both are unlawful, or though the member should be lawful, unless he has judgment, or even if he has, if he has not given notice of the judgment about to be passed, his judgment shall then be transferred to the mouth of an external person.

Every tenant that is qualified.

That is, separation on account of the disqualifications of the chief is here *referred to*, and the disqualifications which he has here is contempt. The third part of the stock is forfeited to the tenant on account of the recalling of the stock *by the chief*, and full honor-price shall be paid to the tenant out of the *remaining* two-thirds of the stock, if they amount to it, but if not, more must be added from the chief's other 'seds,' until the full honor-price of the tenant is made up, and *thus* he forfeits his stock, and *perhaps also the whole of* his returnable 'seds,' and he forfeits the food of the year in which they separate, and the 'cumhloighthe'-settlements are forfeited to the tenant, and his 'comhloighthe'-settlements are to be returned by the chief.

If it is to give his stock to another tenant who is not nobler in point of grade, or nearer in point of kindred, or nearer for services of food or labour, or distribution of legacy *that the separation is made*, the third of the stock is forfeited, and the tenant is entitled to half honor-price out of the *remaining* two-thirds of the stock; and his returnable 'seds,' and the food of the year in which they separate are forfeited, and the 'comhloighthe'-settlements are forfeited to the tenant, and his 'comhloighthe'-settlements are returned by the chief.

If he (*the person to whom the stock is transferred*) is nearer in dignity, or if he is nearer in point of kindred, or if he is nearer in point of services of food or labour, or distribution of legacy, the third of the stock is forfeited to the tenant on account of the recalling of the stock *by the chief*, and one-third honor-price is due to the tenant out of the *remaining* two-thirds of the stock, and the food of the year in which the separation takes place is forfeited to the tenant, as are also the 'comhloighthe'-settlements, and the 'comhloighthe'-settlements are to be returned by the chief.

If he be nobler in grade, and nearer in point of kindred, and nearer to him for service of food and labour, if he has two or three of these *qualifications only*, the third of the stock is forfeited by the

'CAIN cele ar rḡat timḡaire, ocuṛ, uilṛi tuṛcluite, ocuṛ bio na bliatna
AIGILLNE,'¹ nḡenuit in timḡar, ocuṛ uilṛi a comloigṡte don ceile, ocuṛ
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O'D. 1105. [Maḡ ar diumanḡ in ceile inara in ṛlaith a ṛeotu,
iṛ uilṛi don cele loḡ neimech uib do collaib ṛet
aigṡena, na toḡlen romaine collna ṛet.]

Maḡ ar diumanḡ, .i. maḡ ar diuiaḡuite in ceile leiṛ in ṛlaith
inḡarḡer in ṛlaith a cenn na ṛet tuḡurṡar iṛ in ṛaṡ. Iṛ uilṛi don
cele, .i. enecclann do ḡa tṛeinib in ṛaṡa, ocuṛ uilṛi a tṛin ar tim-
ḡaire ar tuṛ. Do collaib ṛet, .i. do ḡa tṛeinib aigṡina colla ṛet
in ṛaṡa. Na toḡlen, .i. noco toḡlenann ni don ṛlaith do romaine a
ṛet, muna mo na loḡ eniḡ in cele beṛ in ḡa tṛuan in ṛaṡa iar mbṛiṡ
a tṛin ar tuṛ ar ṛaṡ timḡaire. Somaine, .i. bio. Collna ṛet,
.i. cen a beṡ accoib.

In timṛcor ar diumanḡ ṛain do ni in ṛlaith ṛiṛin ceile,
uilṛe tṛin in ṛaṡa ocuṛ in tṛeoit tuṛclairde uilṛi ar ṛaṡh
timḡaire ann don ceile ocuṛ lan neimeclainḡe don ḡa tṛenairb
eilṛi, ocuṛ uilṛi bio na bliatna a neṡarṛarṛaṡ.

Munab ar diumunḡ etṛ, aḡṡ ḡa ṡabairṡ do celi aile, ocuṛ
ni huairle i ḡḡraḡ he, ocuṛ ni neṛu ar ṛinḡṡu, ocuṛ ni ṛaierṛi,
ṛe caithim a bio ceilṛine, iṛ leiṡh enecclainḡ don ceile ann do
ḡa tṛenairb in ṛaṡa.

Ma ṡait a tṛiuṛ ann, iṛ tṛuan neimeclainḡ don celi do ḡa
tṛenairb in ṛaṡa, ocuṛ uilṛi bio na bliatna i neṡarṛarṛaṡ
don ceile in caṡ inat uibṛein; ocuṛ aṛic na comloigṡche on ṛlaith
in caṡ inat uibṛein, ocuṛ an uilṛi do cheile.

Ma do ṡabairṡ i ṛaṡh do nach cheilṛu ailṛi, munab
ar diumunḡ, iṛ leiṡh loḡ eimech in celi ṛoḡila don
ṛaṡh la romaine, munab anṛolṡach in cheile; inḡe

¹ *Forfeited*. O'D. 295, adds here:—"If the chief committed illegality against
one tenant, it is safe for him to renounce the tenancy."

chief to the tenant, on account of the recalling of the stock *by the chief*, and the returnable 'seds' are forfeited, and also the food of the year in which the separation takes place, and the 'comhloighthe'-settlements are forfeited to the tenant, and the 'comhloighthe'-settlements are to be returned by the chief.

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If it be in contempt of the tenant that the chief recalls his 'seds,' the tenant is entitled to honor-price out of them, i.e. out of the original 'seds' of restitution, so that no services adhere to the original 'seds.'

If it be in contempt, i.e. if it is out of disrespect for the tenant on the part of the chief that the chief sends for the 'seds' which he gave as stock. The tenant is entitled to, i.e. to honor-price out of the two-thirds of the stock, the one-third having been first forfeited to him on account of the recall of the stock *by the chief*. Of the original 'seds,' i.e. out of the two-thirds of the original 'seds' of the stock *to be returned*. No *services* adhere, i.e. nothing of the profits of his 'seds' belongs to the chief, if the two-thirds of the stock *remaining* after the one-third has been first deducted on account of the recall of the stock by the chief, be not greater than the honor-price of the tenant. Services, i.e. of food. Original 'seds,' i.e. that they (*the services*) shall not adhere to them.

In that separation for contempt which the chief makes from the tenant, one-third of the stock and of the returnable 'seds' is forfeited to the tenant, on account of the recall of the stock *by the chief*, and he (*the tenant*) has full honor-price out of the other two-thirds, and the forfeiture of the food of the year in which they separate.

If it (*the recalling*) be not out of contempt at all, but to give it (*the stock*) to another tenant, who is not nobler in degree, or nearer in point of kindred, and not nearer for consuming his food of tenancy, it is one-half honor-price that is then due to the tenant out of the two-thirds of the stock.

If the three *reasons for recalling* exist, it is *only* one-third honor-price that is due to the tenant out of the *remaining* two-thirds of the stock, and the forfeiture of the food of the year in which they separate, is due to the tenant in each case of these; and the chief returns the 'comhloighthe'-settlements in each case of these, and they are forfeited¹ to the tenant.

If it (*the recalling*) be to give the stock to some other tenant, and it is not out of contempt, it is half the honor-price of the tenant that is deducted from the stock



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mao dligtechu in ceili hi do feilge don fílaith, maó huairliu, no maó nera ar oró rinntiúda, no maó nerum a romaine don fílaith; maó amail roðain, ír trian loige eneach dī he pet lair in cheili.

Munab ar diumunó, .i. nóan ar diumaióas leir in ceile ro bai eice. Ír leth loḡ einech, .i. ír leth enechlann in ceile wilar in raé annraíde, .i. írret roeodaltar fíur dia raé leth loḡ eneé in ceile, ocuṛ trian in raé. La romaine, .i. lair in romaine dleḡar do, wilr bio ná bliatna a netarpcarac do. Anróltaach, .i. munib roéfpóltac in ceile, ír ann ata rin. Inḡe maó dligtechu, .i. inḡe ar aét; ata aét lium anó, ma dligteá in ceile da teilgeann in fílaé raé do tabairt. Maó huairliu, .i. i nḡaró. Ar oró rinntiúda, .i. ar orougao ríne tuéais he a ríne, .i. tuéa do. No maó nerum, .i. no maó nera don fílaé he a romaine a bíó ceilríne. Maó amail roðain, .i. maó amlaio rin beṛ, ír trian neneclainnó cāiríur lair in ceile do da treamib in raéha.

Maó timḡaire nōaibṛe no athcuir nōaibṛe, nach an be do fólaid cēna, ír aithḡin muna mara-
thar feib ro raéha, cen fuilliuo leo. Nach oréha
nech in dicumunḡ.

Maó timḡaire, .i. ma daibṛe do beṛa ar in fílaé a raé do tim-
ḡaire, nocon fuil uice nī da nōerina a bethamnar cu tuca a raé cuici
arí. No athcuir, .i. no ma daibṛi do beṛa ar in ceile aétcuir
in raéa, nocon fuil aice nī da nōearina rognun don fílaé aét a raé
daétcuir ar. Nach an be do fólaid, .i. noco bī fólaid cūuó no
bethamnar ac in fílaé aét a raé do tabairt cuici; nō, noca bī fólaid
cūuó ac in ceile da nōearina rognun aét a raé daétcuir. Ír aithḡin,
.i. ír aithḡin fon feabur ro heirneo ír in raé ann, muna maruio
icir; no ír aithḡin fon febur ro heirneo anó ḡe marut inoar aile,
muna maruio feib ro raé; ocuṛ ír hī a dechbír ro ocuṛ in tim-
pcar inntoḡa, ocuṛ in timpcar contethnḡatar anrólaid cechtar da
línā, wilr bio ná bliatna a netarpcarac rúnó, ocuṛ a narrec inntirí-
um. Cen fuilliuo, .i. cen fuilliuo leir ná rēaib tucaó írin raé
in inbair maruio feib ro raé. Nach oréha, .i. noco noirceí neé
im nḡ nī im inacumtar, im inḡ, im bochéa, .i. cío fílaé cío ceile.

together with the services, unless the tenant be disqualified; but if the tenant be more lawful to whom the chief transfers *his stock*, if he be nobler, or nearer in point of kindred, or nearer in services to the chief; if this be so, it is one-third honor-price that is due to the tenant.

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If it is not out of contempt, i.e. that it is not out of disrespect to the tenant whom he had *before*. It is half the honor-price, i.e. half the honor-price of the tenant that is then paid out of the stock, i.e. the part of his stock which is kept from him is half the honor-price of the tenant, and one-third of the stock. With the services, i.e. with the returns due of him, the food of the year in which they separate is forfeited. *Unless the tenant be disqualified*, i.e. this is the case, unless the tenant be disqualified. But if *the tenant* be more lawful, i.e. ‘except is for ‘but’; I make an exception here, if the tenant to whom the chief transfers his stock be more lawful. If he be nobler, i.e. in grade. In point of kindred, i.e. in the order of tribe land in the tribe, i.e. it is due to him. Or nearer, i.e. or if he is nearer to the chief in the returns of his food of tenancy. If this be so, i.e. if it be after this manner, it is one-third of his honor-price that is kept by the tenant from the two-thirds of the stock.

If it be a recalling *on account* of poverty, or a returning *on account* of poverty, when there is no other property, it (*the penalty*) is restitution, unless they (*the ‘seds’*) are living *in the same condition* as they were *when* given as stock, without addition to them. No one should be oppressed in *his* difficulty.

If it be a recalling, i.e. if it be poverty that induces the chief to recall his stock, when he has nothing to support himself until his stock is returned to him. Or a returning, i.e. or if it be poverty that induces the tenant to return the stock, when he has not wherewithal to perform the service to the chief, *he can do nothing* but return him his stock. When there is no other property, i.e. when the chief has no property in cattle or food *he can do nothing* but recall his stock to himself; or when the tenant has no property by which he could perform the service *he can do nothing* but return the stock. It is restitution, i.e. restitution is to be rendered of ‘seds’ in as good a condition as they (*the ‘seds’*) were when given as the stock, if they (*the original ones*) are not living at all; or restitution is to be made of ‘seds’ in as good a condition as those given as stock, even if they are living, but not in the same condition as when given; and the difference between this and the “recalling by choice,” and the “recalling mutually caused by the disqualification of both parties,” is, that the food of the year in which they separate is forfeited in this case, and there is only a return of them (*the seds*) in those. Without addition, i.e. without addition to the seds that were given as the stock when they are living in as good a condition as when they were given. No one should be oppressed, i.e. one is not to be oppressed about a thing which he is not capable of rendering, in his difficulty, or in his poverty, i.e. whether *he be* chief or tenant.

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Maó in ceile bñr ðaibñr, fogñi loz ina ret amail
merðar, conam anðerðara.

ðaibñr, .i. in inoile. Amail merðar, .i. amail meremnaðñr a
loz. Fogñi, .i. ðo corp ðñm, .i. ðo nñ reic loz na ret ðfognum.
Conam anðerðara, .i. co nañ aoiðarðñr in flait can loz a raða ðo.]

Fogñi loz na ret.

.1. loz na ret no in raða ðo fognum on cele in eutnuma po
gebið ar fognum o neoch eile; ocuñ o raðuñ a ceann in fognuma,
nñ fuil loñ na ar ðo riðñ reñ na retuib.

If it be the tenant that is indigent, he may render the value of the 'seds' in service according to estimation, so that there be no fraud.

Indigent, i.e. as to cattle. According to estimation, i.e. according as their value is estimated. He may render in service, i.e. of bodily labour, i.e. he may perform the amount of the 'seds' in service. So that there be no fraud, i.e. that the chief may not be defrauded of the exact value of his 'seds.'

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He (*the tenant*) may render the amount of the 'seds' in service.

That is, the tenant may render the amount of the 'seds' or the stock in service at the same rate of payment that he could get for his service from another person ; and when he has once entered upon the *performance of service*, neither growth nor increase shall accumulate upon the 'seds.'

CACH LACHAMNA.

'CAIN LACHAMNA,'
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Cain lachamna dilear do cechtar da lina cia po chaithé cia tormaíla cechtar da lina ar araile, acht ní po paidrem i ndlizió platha, ocyr ní po riachaisgarar ndlizió, no updlizeo, no aiplecuro, no ní po tathaisgear nech tob ar araile. Slan cach pocompa, cach pocobur, eplan cach necobur i cain lachamna.

O'D. 297. Cain lachamna, .i. riasail na lachamna [ar an ior lachomá, .i. plenur oma .i. duine comlan, fear ocyr bean qui fuit aom ocyr eua.] Dilear, .i. ior dilear do cechtar de in da naimar pin. Cia po chaithé, .i. do biud. .i. crobeo po chaithé do biud ocyr deaó. Cia tormaíla, .i. crobeo tormailear do retail, .i. retach, .i. no caithéam la tuait, ocyr toimilt do eclair. Cechtár da lina, .i. cechtar de in da naimar pin ar a éile. Acht ní po paidrem, .i. acht inni po nempairiom i ndlizió na platha ocyr in éile romaino, ipin nimrcar imtoza, uair ipaó uil anoirao, comarougar itir a comloigchaib; ipaó fuil runto imorru, uilre na comloigte, mara dliztech iat maraen; ocyr marat innoliztech iat maraen, ip comarougar itir a comloigéib. Mara dliztech in daria de, ocyr innoliztech a cheile, apec na comloigte on inoliztech ocyr a noilri don dliztech. Ní po riachaisgarar, .i. no in ní riachaisgear nech tob do peir dlizió, .i. imin coibce, .i. in baile a nolesar coibce. Dlizió, .i. im in coibce. Updlizeo, .i. riasail ocyr dairi. Aiplecuro .i. ní do ratar fri aó ocyr aiperc. No ní po tathaisgear, .i. no in ní gatur nech tob o éile do neó a mbia enecann, .i. oíle cu hiarrao. Slan cach pocompa, .i. do biud ocyr etach, .i. plan tob caé pocomaro uair do ní caé tob pe éilim in comloguó. Cach pocobur, .i. caé deacubur uair im in comaitir, .i. im a atmail. Eplan cach necobur, .i. ip eplan do neoch tob oílecubur gairi do denum ar a éile. I cain lachamna, .i. don lachamain do peir riasla, no i riasail in lachamair.

¹ 'Coibche'-marriage gift. A present given by the husband to the wife at their marriage.

THE 'CAIN'-LAW OF SOCIAL CONNEXIONS

IN the 'Cain'-law of social connexions what either party has consumed or worn to the disadvantage of the other is forfeited, except what we have mentioned in the law of the chief, and that debt which is claimed by law, or *as* liability for another, or loan, or what one of them has stolen from the other. Every act of accommodation, every honest act is safe, every dishonest act is unsafe in the 'Cain'-law of social connexions.

'CAIN LA-
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'Cain'-law of social connexions, i.e. the rule of social connexions. '*Lanamhna*,' from that which is *lan homo*, i.e. *plenus homo*, i.e. a full man, a man and a woman,—*qui fuit Adam et Eva*. Is forfeited, i.e. either of these two is forfeited. *What either party* has consumed, i.e. of food, i.e. whatever he or she has used of food or clothing. Or worn, i.e. whatever he has worn of 'seds,' i.e. of raiment, i.e. or spending *is applied* to the laity, and wearing to the clergy. Either party, i.e. either of the two parties concerned as regards the other. Except what we have mentioned, i.e. except what we have mentioned before in the law of chief and tenant, in the "Separation from choice," for in that *law* there is an adjustment of their set-offs; but here there is forfeiture of the set off, if both parties are lawful, (i.e. *lawfully competent to enter into this connexion*); and if both are unlawful, there is an adjustment between their set-offs. If one be lawful and his tenant unlawful, the set off is to be returned by the unlawful person, and to be forfeited to the lawful person. That debt which is claimed, i.e. or the thing which one of them claims according to law, i.e. 'coibche'-marriage gift, i.e. where 'coibche'-marriage gift is due. By law, i.e. respecting the 'coibche'-marriage gift¹. Liability for another, i.e. the 'sicals'² and the 'dairt'-heifers. Or loan, i.e. a thing that is given on condition and for a specified purpose. Or has stolen, i.e. or what one of them has stolen from the other, who has honor-price, i.e. he conceals it until it is sought for. Every act of accommodation is safe, i.e. of food and clothing, i.e. every act of accommodation which the one does towards the other respecting the set off. Every honest act, i.e. every conscientious act respecting the acknowledgment, i.e. as to its avowal. Every dishonest act is unsafe, i.e. it is unsafe for one of them to be guilty of an unconscientious act of deceit towards the other. In the 'Cain'-law of social connexions, i.e. the social connexions according to rule, or in the rule of the social connexions.

² *Sicals*. The 'sical' appears to have been a small piece of silver (probably coined), equal in value to the 'screpall,' and weighing from twenty to twenty-four grains. It was equivalent to three 'pingins.' The 'screpall' was, it seems, the Irish designation for the denarius. *Vide* "Petrie's Inquiry into the Origin and Uses of the Round Towers of Ireland," pp. 216-232; Dublin: Hodges & Smith, 1845.

Question—How many kinds of social connexions are there with the Feini? Answer—Eight. The chief with his ‘aigillne’-tenants; the church with her tenants of ecclesiastical lands; the father with his daughter; a daughter with her brother; a son with his mother; a foster-son with his foster-mother; a tutor with his pupil; a man with a woman.

‘CAIN LA-
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Question, i.e. I ask or inquire how many or what number of social connexions are distinguished or decided according to the ‘Feinechus’-law.

The chief, (‘flaith,’) i.e. ‘fo-a-fholaidh,’ good his wealth, i.e. good (‘fo’) is the wealth (‘folaid’) which he is bound to give his tenants, or good, (‘fo’) and ale, (‘laith’), he is fond of ale.

The social connexion which is considered between the chief and his tenants is, that he is to give them stock and returnable ‘seds,’ and to protect them against every injustice that he is able, and they are to render him victuals and labour, and respect, and to return the ‘seds’ to his heir, or for his heir where it is right to do so. The chief has power to pronounce judgment, and proof, and witness, upon his ‘daer’-stock tenants; but his ‘saer’-stock tenants can oppose them, and bear witness against his tenants if they be impartial witnesses.

With his ‘aigillne’-tenants, i.e. with those tenants he has who have taken it as a choice to accept of tenancy from him. The church, (‘eclais,’) i.e. ‘ecan clas,’ the assembly of wisdom; or ‘eclas,’ i.e. ‘iclas,’ because the church supplies every one with what he requires; or ‘eclas,’ i.e. ‘uag clas,’ pure assembly, the church is an assembly which is purer than all others; or eclas, i.e. ‘ecen leas,’ by which one’s welfare is effected, when he is in difficulty; or ‘eclas,’ from the Greek *ecclesia*¹ *justi populati*, i.e. the assembly of the just. With her tenants of ecclesiastical lands (‘manchu’), i.e. with the people who give it (*the Church*) valuable (‘somainacha’) goods (‘maine’), after a proper way, (‘cae’), or manner.

The social connexion which subsists between the church and its tenants of ecclesiastical lands is, preaching² and offering,—and requiem for souls is due from the church to its tenants of ecclesiastical lands, and the receiving of every son for instruction, and of every such tenant to right repentance; tithes, and first fruits, and alms, are due of them to her, and full honor-price when they are in strong health, and one-third honor-price at the time of death,³ and the church has the power of pronouncing judgment, and proof, and witness, upon its tenants of ecclesiastical lands, both ‘saer’-stock tenants and

² *Preaching.* In O’D. 595, the reading is “Baptism and communion, and requiem of souls, and preaching and offering.”

³ *Death.* In O’D. 595, there is added, “And every first calf, and every first lamb, and every first-born of children, and every tenth child from that out.”

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NEXIONS.
O'D. 595.

FOR CAC TUAATA UILE CIO FAEIRMANACH HE, MUNA RAB ECLAIR AILE,
[ECLAIR IF COMUAPAL REFI], ACA TEPYGYO.

ACTHAIR, .i. aithe imecha toir, no aua FOR TOIRICHNIÓEANN. FRIA
HINGIN, .i. FRIA INNGEIN, RIF IN NGEN INAPAR A HINNE IN ATHAIR, IN INGEAN;
OCUR NOCO MO APAR INA IN MAC, AÉT MO RO FOICH DO REIR INÓATHMAIG.

.1. IFI LANAMNACHT UIL ITIR IN ATHAIR OCUR IN INGEIN, A HALT-
RAMIR DOROM DO LAN NO DO LEITH, OCUR LAN IAPAIĞ, NO LEITH IAPAIĞ
LE DOCHUM AITE; OCUR A HUPNAIDOM FRI COMCINEOL IAR NAER TOGA;
OCUR TRIAN TINOL LE DO CUM IN COMCINOIL REIN. CET COIBÉE CACHA
HINGINE DIA HATHAIR UATHERE DOROM; OCUR DA TRIAN AR IN COIBÉE
TANIRE, OCUR LEATH AP IN TREAR COIBÉE, OCUR UPRANNUR CADA
COIBÉE O RAIN AMAÉH CO RIA COIBCHE AR FICHET; OCUR BPREITHENNUY,
OCUR IMÓENAM, OCUR FIAONAIRÉ DON ATHAIR FOR A HINGIN.

INGEN FRIA BRATHAIR, .i. FRIA BREO THUAIR, RIFIN MBREO PORCHOI-
RICHNIÓEANN AMAIL IN ATHAIR IN UAIR RIC ALEAF.

MAC, .i. MO A UCCU, MO IF UCCA THOĞAÓE HE INÁ IN INGEIN. FRIA
MATHAIR, .i. FRIA MO TOIR, MO NO THOIRICNIÓGENN, NO MUCHA NO THOI-
RICHNIÓEANN INNA IN TATHAIR.

.1. IFI LANAMANNÓACHT UIL ITIR IN MAC OCUR A MATHAIR, A AL-
TRAMFUM TOIR DO LAN NO DO LEITH, NO DO LAN IAPAIĞ, NO LEITH IAPAIĞ
LEIR DO CHUM AITE; OCUR BPREITHENNUY, OCUR IMÓENAM DON MATHAIR

¹ *Relief.* In O'D., 595, the reading is 'athair, .i. aithe, .i. imecha toir; no, aua nor TOIRICHNIÓGENN,' which seems to mean the same thing as the reading in the text.

² *Word.* Dr. O'Donovan remarks here, "this is not the true derivation of the word 'ingen,' a daughter. In Cormac's Glossary it is derived from 'in,' a negative, and 'gen,' a woman, i.e. not yet a woman, and in this sense it is used in the oldest MSS. At the present day, however, 'ingen' is a relative term, the same as *filia* in Latin. In like manner 'mac' would appear to have changed its meaning, for in these laws and other ancient authorities it is used to denote a boy. It is now a relative term like *filius*. The modern word for boy—namely, 'ḡairḡín'—is never found in old Irish MSS., and is evidently a loan-word from the French."

³ *'Tinol'-marriage collection.* A collection for the young couple made amongst the friends at the marriage of a daughter. The same custom appears to have prevailed in Brittany and in Wales not long ago; perhaps it prevails in some places even now. *Vide* "Brittany and the Bible," by I. Hope, pp. 12, &c. Longman, 1852.

'daer'-stock tenants, and upon every other layman, even though he be a 'saer'-stock tenant of ecclesiastical lands, unless there is another church of equal dignity claiming him.

CAIN LA-
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A father, ('Athair,') i.e. quick, or rapid ('aithe,') his relief,¹ ('imecha thoir,') or lawfully, ('ada,') he relieves, ('toir' &c.) With his daughter, ('hingen,') i.e. with the offspring of his loins, his 'inne-gein,' i.e. the daughter is the offspring ('gen,') which springs from the loins ('inne,') of the father; and she does not spring more so than the son, but she would appear to spring more so according to the derivation of the word.²

The connexion which subsists between the father and the daughter is, that he is to foster her wholly or to the extent of one half, and to send full price of fosterage, or half the price of fosterage, with her to her foster-father; and to wed her to a man of equal family, after she has arrived at the marriageable age; *she is to bring* one-third of the 'tinol'-marriage collection³ with her to that man of equal family. The first 'coibhche'-wedding gift of every daughter is to be given by her to her father; and two-thirds of the second 'coibhche'-wedding gift, and one-half of the third 'coibhche'-wedding gift, and a proportion, in the same descending ratio of every 'coibhche'-wedding gift from that forth till the twenty-first 'coibhche'-wedding gift; and the father has the power of pronouncing judgment, and proof, and witness upon the daughter.

A daughter with her brother ('brathair'), i.e. with 'breo thuair,' with the fire ('breo') which relieves like the father ('athair') when she stands in need of relief.⁴

A son ('mac,') i.e. 'mo a ucca,' i.e. greater ('mo') his selection ('ucca') than the daughter. With his mother ('mathair'), i.e. with his 'mo toir,' i.e. more ('mo') she relieves ('thoir' &c.), or quicker ('mucha') she relieves ('thoir &c.') than the father.

The connexion which subsists between the son and his mother is, that she is to foster him wholly or to the extent of one-half, or to send full fosterage-fee, or half fosterage-fee with him to his foster-father; and the mother has power of pronouncing judgment, and proof upon

⁴ Need of relief. In O'D. 596, there is added here a passage to the following effect:—"The connexion which subsists between them (*the brother and sister*) is, that he is to foster her wholly, or to the extent of one-half, or send full fosterage-fee, or half fosterage-fee, with her to her foster-father, unless her own father is living, and to marry her to a man of equal rank, after she has come to the years of selection in marriage; and she is to bring one-third of the 'tinol'-marriage collection with her to that man of equal family. What is due of the daughter to the brother is this: if he be the head of the sept, half her first 'coibhche'-wedding gift is due to him, and two-thirds of one-half the second 'coibhche'-wedding gift, and a proportion of her legacy portion and her body-fine. He is to support her in her old age, and to assist her in poverty. The brother has power of pronouncing judgment, and proof, and witness, upon his sister."

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FOR α mac, ocur fíathaire, mara coitcéann fíathaire; ocur
fíathae fíu domatais, ocur gaire fíu reanatais; ocur biaro on
ingín fein for da mathair ocur hathair, ocur da haige fine.

‘Dálta, .i. di no naiten in muime; no deoe ailef he, α aite ocur α
muime; no deoe da naiter he, da mathair ocur da hathair.

Fíu α muimí, .i. fíu mo ime, mo imef α eoch uime ía cluugus
ocur aca altrum, ná in taiti; no mo ná mí ro naiten.

O'D. 596. [Ír í lanamnacht uil on buime don dálta, altramα do lan no
do let pe co aoir diaitpe, ocur lan pet gertα, no let pet gertα
uaiti do iar naoir diaitpe; ocur af e lanamnacht ata on dálta
oiri, α faide fíu domatais, ocur α gaire fíu reanatais; ocur
breithemnuir, ocur imdenam don buime for in dálta, ocur fíath-
aire, mara coitcénn fíathaire; no coma rena ná buime don
dálta.]

Fíthíthair, .i. pet athair, aithair fíethaisi inae in forcetail, no,
athair ná fíeth, ná helathan. Fíu fíalmac, .i. fíu hoilmac, .i.
fíu in mac da tabair α fíglaim, o oíl, no bíf ac fíglaim foilluira
ná halathan aice; no fíu uile mac, fíu in mac da tabair α fíglaim
uile uair ann.

O'D. 597. Ír í lanamanacht athfíethair itir in dálta ocur in taitpe for-
cetail, forcetail cen díell [ocur α fíuimí an gíad], ocur corc
can acgaire on oite for in dálta, ocur α biathad ocur eitíu
in airtet bef ac denam dāna dígthí, muna fagba o neod aile;
ocur o fíoil fíuira forfíuad anall gabair in forcuó fain;
ocur fíagí fíu dommatais, ocur gaire fíu rennatais on dálta
don aite, ocur loí enech in gíad α fíureama he, ocur α etail
dāna uile in airtet bef aca fíglaim, ocur cet tuilleam α dāna
iar. noul α tíg α aite; ocur breithemnuir, ocur imdenam, ocur
fíathaire don oite forcetail for in dálta, ocur don athair
for α mac, ocur don eclair for α manach.

the son, and witness, if she is an impartial witness; and he is to aid her in poverty, and to support her in old age; and *the same duties* are also due from the daughter to her mother and to her father, and to the head of her tribe.

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A foster-son (‘dalta’), i.e. twofold (‘di’) his nurse nurses (‘nailend’) him; or two (‘dede’) nourish (‘ailes’) him, i.e. his foster-father and his foster-mother; or there are two (‘dede’) for whom he is fostered (‘nailter’), i.e. for his mother and his father.

With his foster-mother (‘muime’), i.e. with his ‘mo ime,’ she more (‘mo’) folds his clothes about him (‘ime’) to warm him and to nourish him, than the foster-father; or more (‘mo’) than a month (‘mi’) she fosters him.

The connexion which subsists between the foster-mother and her foster-son is, that she fosters *the foster-son* wholly or to one-half of the time at which his fosterage is completed, and she gives him the whole of the ‘seds’ of lawful maintenance, or half the ‘seds’ of lawful maintenance, after *he comes to the age* at which his fosterage is completed; and the relative duties due of the foster-son to her are, to assist her in poverty, and to maintain her in her old age; and the foster-mother has *power of pronouncing* judgment, and proof, upon the foster-son, and witness, if she be an impartial witness; or the foster-son may oppose *the witness* of the foster-mother.

A tutor (‘fithithair’), i.e. ‘feth-athair,’ i.e. the father (‘athair’) who guards (‘fethaigi’) the way of instruction, or ‘athair na fede,’ i.e. the father (‘athair’) of science (‘fede’). With his pupil (‘felmac’), i.e. with his ‘oilmac,’ i.e. with the son (‘mac’) to whom he communicates his learning (‘fhoglaime’) by word of mouth (‘oil’), or who is learning the secrets (‘foiliusa’) of science with him; or with his ‘uile mac,’ i.e. with the son (‘mac’) to whom he gives all (‘uile’) his learning at a certain time.

The social connexion that is considered between the foster-pupil and the literary foster-father is, that the latter is to instruct him without reserve, and to prepare him for his degree, and to chastise him without severity, and to feed and clothe him while he is learning his legitimate profession, unless he obtains it from another person; and from the school of Feniús Forsaidh onwards this custom prevails; and the foster-pupil is to assist his tutor in poverty, and to support him in his old age, and the honor-price of the degree for which he prepares him, and all the gains of his art while he is learning it, and the first earning of his art after leaving the house of his tutor, *are to be given to the tutor*; and the literary foster-father has *power of pronouncing* judgment, and proof, and witness upon the foster-pupil, as has the father upon his son, and the church upon her tenant of ecclesiastical lands.

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Ἐαρ, .i. on ní ír uirteú, o níre. Friaa ben, .i. fíu boin, friaa maith, fíur in ní ír maith léir, .i. ríia mnaí; no [a benignitate] on t[r]ianemlá-
taio, no on miasamlátaio péroataio, ocuf aca rochtain fein robar
ano.

Ocuf írhi lanamanroacht uil ataru, toil ocuf genur ocuf
bangnim uaitíurí dorom, ocuf feirgnim uadrum tóirí; ocuf
trian tinoil accepi mara hingen gnaíó feine co mac gnaíó
feine, no ingean gnaíó flatha co mac gnaíó flatha, no hingen
gnaíó flatha co mac gnaíó feine; ocuf da trian tinoil ac an
fíur.

Μαρά ingean gnaíó feine imorpu co mac gnaíó flatha, da
trian tinoil uaithe rí, ocuf trian tinoil o mac in gnaíó flatha.

Ocuf conuenum a fella doib, ocuf ír ar gabair eiseic, cu
naititín for teacht muige ocuf tíge, ocuf ar foghí techt do
muig. Ocuf pena in fíur don mnaí mara comoligtech íat, no
mara cominoligtech íat, no mara oligtechu in bean; uair oligíó
cennacáta uil eturpu, ocuf ge airmíó oligé cenacáta ac an fíur ar
péroacht, no ar poruairle, noco moirí ro ríia imdenam do ar
in mnaí ce beir amháíó fein, uair ír cunroaíó fuil eturpu.

Comóilep do cach díb cia tarpa dia raile, cia
imarbaia cach díb ar araille den elgum, cen taide;

¹ *Tinol'-marriage collection.* In O'D., 597-598, there is a different reading to the following effect:—"The connexion which subsists between them is that she gives him her will, and desire, and the female act, and one-third of the 'tinol'-marriage collection, and a portion of her legacy, and of her body-fine; and he gives her the 'coibhche'-wedding gift and 'sicals,' and one-third of the 'tinol'-marriage collection, if she be the first spouse, or the 'coibhche'-wedding gift and one-third of the 'tinol'-marriage collection only, if she be an adulteress (*a kept woman, a mistress*), and he gives her the virile act whether she be a first spouse or an adulteress.

"Whatever amount of food and raiment, by way of set off in consequence of the connexion, each of them may give the other without condition, without stipu-

A man ('fear'), *the word being derived* from the thing which is 'virtus,' 'CAIN LA-NAMHNA,' i.e. from his strength. With a woman ('ben'), i.e. with 'boin,' with his good, with what he likes, i.e. his wife, or from 'benignitate', from the kindness *of the woman*, and the dignity of the man, and to reach these *qualities* they exist.

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And the connexion which subsists between them is, that she is to give him her will and desire and female act, and he gives her the virile act; and she shall have the third of the 'tinol'-marriage collection¹ if she is the daughter of one of the Feini grade *who goes* to the son of one of the Feini grade, or the daughter of one of the chieftain grade *who goes* to the son of one of the chieftain grade, or the daughter of one of the chieftain grade who goes to the son of one of the Feini grade; and the man shall have two-thirds of the 'tinol'-marriage collection.

But if she be the daughter of a man of the Feini grade *who goes* to the son of a man of the chieftain grade, she shall give him two-thirds of the 'tinol'-marriage collection, and the son of a man of chieftain grade gives *her* one-third.

And they are to prove their possession mutually, and the reason from which it (*the custom*) is derived is this, that "they take possession of *cattle*, land, and house, with the acknowledgment of *the tribe*, and taking possession of land, *cattle*, &c., requires proof." And the woman may oppose the evidence of the man if they are both equally admissible to give legal evidence,^a or if they are both equally inadmissible to give legal evidence,^b or if the woman be more lawful; for it is a law of headship that is between them, and though the law cedes headship to the man for his manhood and nobility, he has not the greater *power of proof* upon the woman on that account, for it is *only* a contract that is between them.

What each of them gives the other is equally forfeited, *as also* what each of them takes from the other

lation, if both are lawful, all is forgiven on both sides, and if both are unlawful all is to be returned by both. If one be lawful and the other unlawful, the set off is forfeited to the lawful person, and it is to be returned by the unlawful person.

"Whatever be the ~~amount~~ of food and raiment, and of set off in consequence of the connexion, that ~~one gives~~ to the other upon condition and stipulation, whether both are lawful or unlawful, both must return it. Whatever one of them gives to the other as a gift, if he should wish to prove that it was not for a gift he gave it, he will not be permitted to prove it, for proof of the intention^a is never allowed between those connected by social connexions."

^aIr. *reca-*
son.

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arrpenar aithgum cach díchmaírc cairnichther co
tíroírcad, acht in eclair. Aithgín olcena cach dích-
maírc cairnigter co imcím tíroírc no elúda dligíod.
Cach díchmaírc cen taidé, cen elgum, cach díchmaírc
cairnigter, follaigter, ír cona tíre dobonzgar.

Comróir, .i. ír eutruma ír róir do cach ríob do ná hocht lanamnaib
arubhramaí romainn róber do beírc dā ceile do comloigib can acht
can aircírc aice. Cía imarbarā, .i. eibí eimberar cáé ríob o ceile
im a neirrach. Cen elgum, .i. cen eolgnair comraici do denam ima
briétar íarugad í íaronaírc. Cen taidé, .i. díchéltā í necmaírc, .i. cen
díchéltā o ro elum a íaríarc. Arrpenar, .i. ír uarr eiríníther aithgín
ír in ní beírc o neoch can aecomárc; in tērrach ina huroe icce coir, aét
ná dēirntar innoigíe ríob rín anó. Cach díchmaírc, .i. imírc cen
athcomárc co ná aetmáil ío cetoir. Co tíroírcad, .i. co ná dēirntar
tíroírcad ime ac íaríarc a aithgēnā íar ná gabáil; ír ann aet aithgín
do tuataann muna tíroírceter. Acht in eclair, .i. aét mainib o eclair-
dācā beírc he, ír ann aet aithgín anó ía tíroírcad, uair írre euit in
in aétíngē a baíl aet aithgín láetā no gíomíarc don tuat ann, bíarc a
dāblā do eclair. Aithgín olcēnā, .i. aithgín uile éenā in cach ní
beírc o neoch cen athcomárc ír in neirrach co ná tōrrachtaim ina
uroe icce coir, .i. cenmōtā eclair. Cairnigter, .i. cuingitir, .i. aingitir
íar cae eiríe a haithle a gabáil. Co imcím, .i. co ríob eimcimmigíod
tíroírc do lecuo imme, do gíarcāib plāetā noco nuil aét aithgín ann.
Elúda, .i. arād nāngíarc íeine. Cach díchmaírc, .i. cáé eirrach beírc
o neoch cen aecomárc. Cen taidé, .i. díchéltā í necmaírc. Cen elgum,
.i. íaríngíthe í íaronaírc. Cach díchmaírc, .i. cáé eirrach beírc o
neoch cen athcomárc. Cairnigter, .i. aingitir eiríe íar ná gabáil íar
cae, .i. o aetíu o íeim, ocu ír nuil dēitírc cáé gne ríob. Follaigter,
.i. íar ná cuingíod, .i. do níther fáil imme, elod arād do lecon íor
gíarcāib íeine, no tíroírcad do lecon do gíarcāib plāetā. Ír cona tíre,
.i. ír cona láiríre ríobgíitir he in tērrach íare tairgíle, no íar lecuo
elōtē imme.

without consciousness of crime, without theft; restitution is paid for every illegal taking with which they are charged by fasting, except *when the church is concerned*. Restitution is *also paid* for every illegal taking with which they are charged, by avoiding fasting or evading law. Every thing illegally taken without intent of stealing, or consciousness of crime, every thing illegally taken with which they are charged, *if the charge* is neglected, is exacted with 'dire'-fine.

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Equally forfeited, i.e. whatever by way of settlement of accounts they give each other without condition or stipulation is equally forfeited by either party *in each* of the eight social connexions which we have mentioned before. What each of them takes, i.e. whatever one of them takes from the other as forced relief or loan. Without consciousness of crime, i.e. without committing intentional trespass by bringing it away in the presence of the owner by violence. Without theft, i.e. concealment in the absence, i.e. without concealing it when he has heard it asked for. *Restitution* is paid, i.e. restitution is *fully* paid for the thing which is taken away from one without asking permission; the forced relief or loan *is to be paid* at its proper period of payment, so as none of these illegalities are committed. Every illegal taking, i.e. acting without asking permission, *but* with acknowledgment immediately. Fasting, i.e. when fasting is not performed in seeking its restitution after it has been taken; restitution is *not* paid to a layman unless the fasting is performed. Except *when the church is concerned*, i.e. unless it (*the property*) has been taken from an ecclesiastic, if it has, there shall be restitution before fasting, for the force of the "except" is *that* where there is restitution of milk or work to a layman, there shall be double *restitution* to the church. *Restitution is also paid*, i.e. restitution *is* likewise *paid* for everything which is taken away from one without asking permission, *i.e.* for the forced relief or loan which is to be forthcoming in its proper time of payment, *i.e.* except *when the church is concerned*. Are charged, i.e. it is sought, i.e. it is sued after the proper manner after its being taken. By avoiding *fasting*, i.e. when there is evading of the performance of fasting, *for* it is in the case of the chieftain grades that there is *no fine* for it but restitution *only*. Evading of *law*, i.e. of serving notice on the Feini grades. Everything illegally taken, i.e. every forced relief or loan which is taken from one without asking permission. Without theft, i.e. secretly in the absence of *any one interested*. Without consciousness of crime, i.e. of violence in the presence of the owner. Everything illegally taken, i.e. every forced relief or loan which is taken from one without asking permission. Is charged, i.e. this is sued after being taken in order, i.e. acknowledgment from himself, and there is a difference between every species of these. *If the charge* is neglected, i.e. after being asked, i.e. negligence is committed, when they evade serving notice on the Feini grades, or fasting on the chieftain grades. With 'dire'-fine, i.e. it is with full 'dire'-fine it is exacted, *i.e.* the forced relief or loan after the period of pledges, or after evasion respecting it.

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O'D. 297,
298.

[Tabuirte na placha cetamur.

.i. ríath tarairtíocht tabuirte in cele don ní teit a nairim cáé porcpuid nairbíd. Tabuirte na ecluiri, biathad in aen cineoa gin fine, gin tiri, gin inilleo, ocur cach mic ocur zach manuis. Ocur tabuirte manuis, .i. .x. 7rl. Tabuirte na ingine, .i. feireo. Tabuirte na mathur, .i. leé tineoil treabhéta; a raircpuin o aoultrachudáib ocur co ruige rocor no angbocht; no tabuirte zach mna po miao, .i. oéa pcpuir nolla cu glonna, .i. aen pecht zach bliatna. Tabuirte reanathur, .i. feireo, no co ruige rocor; no tabuirte zach mna amuil arbeir irin cin. Tabuirte brathur dono, ma for a feib bea, amuil tabuirte athur. Tabuirte a mic, .i. biad ocur etuch fua zaire uile, ic in cinuid co leé no óa trian. Tabuirte in athur no mathur, .i. leé iarpuid lair, no a biathad ocur a etuch co diaitpe do, leé no feireo, no cu ruige rocor. Tabuirte in dalta, .i. biad ocur etuch ói fua zaire amuil athur, no leé trian a corpoire. Tabuirte na muime, .i. a leé biathad, ocur a leé etuch, ocur leé eiric ac cinuid, uair núc leé iarpuid. Tabuirte in aite, .i. biad, ocur etuch, ocur roir-cetub. Tabuirte in feimic, .i. los neiniuch in zraio do berup fair, ocur mine o rin amach ocur uperge. Tabuirte in fir co tige leé no trian, no ir biad ocur etuch ir uile do ceachtur de dia rale. Tabuirte na mna dono amuil tabuirte in fir, gin aét gin arur.]

Aithgin neirici ocur aithgin peime do eclair fua troicuo; aithgin ocur tpe ocur enecclann iair troicuo, ocur a los do pennait in díchmaire in fein. Aithgin do cáé cena ma díchmaire fua troicuo; aithgin imorpu ocur tpe ocur enecclann in tairé, ocur in elguin fua troicuo, irpeo ono in díchmaire iair troicuo. Cia troictheir imorpu imon tairé ocur imin elguin,

¹ The book called ‘Cin.’ The word ‘cin’ is explained in Cormack’s Glossary, to mean five sheets of parchment, *vid.* Stokes’ Old Irish Glossaries, p. 9. For an account of a book called the ‘Cin Droma Snechta,’ *vid.* O’Curry’s Lectures, pp. 13, 15, &c.

As to the implied duty^a of the chief in the first place. 'CAIN LA-

i.e. The excessive return for the stock is the implied duty of the tenant out of that which goes to the account of each excess of measure. The implied duty of the church is the feeding of the last survivor without a tribe, without land, without cattle, and of every son *left destitute*, and of every tenant of ecclesiastical lands. And the implied duty of a tenant of ecclesiastical lands, i.e. the tenth, &c. The implied duty of the daughter, i.e. the sixth. The implied duty of the mother, i.e. half the collection of the house; their private property *is required* from adultresses, and as far as great want or great poverty; or the implied duty of every woman is according to her dignity, i.e. *it varies* from a woollen distaff to a 'glonnas,' i.e. once every year. The implied duty of the grandfather, i.e. one-sixth, or as far as great want; or the implied duty of every woman as it is said in the book called 'Cin.'¹ The implied duty of a brother, if it (*the property*) be in his possession, is like the implied duty of the father. The implied duty of the son is food and raiment for maintaining *the father* legitimately, and payment of liabilities as far as one-half or two-thirds. The implied duty of the father or mother is, *to give* half fosterage-fee with him (*the son*), or to feed and clothe him till his fosterage ends, *to the extent* of one-half, or one-sixth, or as far as great want. The implied duty of the foster-child is *to give her* (*the foster-mother*) *the same amount* of food and raiment for maintenance, as *he ought to give* to the father, or half one-third of his body-fine. The implied duty of the nurse, i.e. to half feed him, and to half clothe him, and *pay* half 'eric'-fine for his crimes, for she had obtained half fosterage-fee. The implied duty of the foster-father, i.e. food, and raiment, and instruction. The implied duty of the pupil, i.e. the honor-price of the degree which is conferred upon him, and from that out *he owes* kindness and respect *to his tutor*. The implied duty of the husband *amounts* to one-half or one-third, or food and raiment are due from the one to the other. The implied duty of the wife *is* like the implied duty of the husband, without condition or stipulation.

Restitution of 'eric'-fine and restitution of penance *are to be paid* to the church before fasting; restitution, and 'dire'-fine, and honor-price after fasting, and the amount for the illegal taking are paid in penance. Restitution *is due* to everyone in general for illegal seizure before fasting; but restitution, and 'dire'-fine, and honor-price *are due* for theft, and for illegal seizure before fasting, and these *penalties* are for illegal taking after fasting. But even though fasting be performed in cases of theft and forcible seizure, double shall not

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^a Ir. gift.

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ní íctar diabla do neoch ro raiofem, co ro cinne breithium. Ippro a trocar; a etrocar imorru diabla neich dlegar nua trofcar do íc íar trofcar i tairde ocu i neltuin. Ipe fein atai in in dichmaire, naé aile imorru innuir in tairde.

Cair eir lir lanamna cumtara comperca do cuirin la fene. Nín—α deich, lanamnur comtincuir; ben for perincuir; per for bantincuir, co fognam; ben for airtin nurala; per tathaisge cen urgnam, cen urail, cen tarcuo, cen tinol; lanamnur roxail; lanamnur amra for paeniul; lanamnur tothla; lanamnur ecne; lanamnur genaisge.

Cair eir lir lanamna, .i. comaircím eia ler, no eia lín do lanamnaib dirciair no tairipter ne breth comperca doib do per in fenechuir. Cumtara comperca, .i. dia ta comairchiur ina comperca, no comtabairt i cummaio lanamna. Lanamnur comtincuir, .i. in lanamain ac an cuituma tcairpéair tpe ocu inoile, in be cuitceyrnara. Ben for perincuir, .i. in bean for in tincuir fearoa. Per for bantincuir, .i. for tincuir mbanoa uair eile. Co fognam, .i. denam don fir no don mnai. Ben for airtin nurala, .i. in bean tairt-niugao a leaigéi po urail in fir; in nairrech no in cairpéach. Per tathaisge, .i. in fear dathaisge do cum na airis, no na cairpéigé. Cen urgnam, .i. ar na buain do denam oi. Cen urail, .i. can a bith for urail, .i. for a cairat. Cen tarcuo, .i. amuich oi. Cen tinol, .i. tall dia fetaib. Lanamnur amra, .i. in lanamain bir a nampaine ar pannelao a hinuo oinao. Lanamnur tothla, .i. do nithep i toet-loo rir in mnai rleithe. Lanamnur ecne, .i. do nithep ar eicm, in bean forcuir. Lanamnur genaisge, .i. do nithep tpe gean og meap no dafachtach rri dpuith no dafachtai.

Lanamnur comtincuir, ma co tpe ocu cetra ocu inreb, ocu maō compair comtechta a cuma lanamnura, ocu ír don ben rin arberar be cuitceyrnara. Ní bí cor cor nechtar da lina rech arailé, inge curu

¹ *The Feini.* In the original the word 'feine' is not written, but there is a mark of contraction over the 'a' of the preceding word. The phrase 'la fine,' however, occurs frequently in the Irish Laws, and probably was meant to be understood here,

he paid for anything we have mentioned, until the Brehon decides it. That is the leniency of the case ; but the severity is that the double of the thing due before fasting is to be paid after fasting for theft and forcible seizure. He (*the plaintiff*) himself is *the witness* of the illegal taking, but another person tells of the theft.

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Question—How many connexions of equal rank for procreation are recognised by the Feini? Answer—Ten ; a connexion of equal property ; a woman upon the property of a man ; a man upon the property of the woman, with service ; a woman received by command ; a man who frequents without service, without command, without acquired wealth, without ‘tinol’-marriage collection ; connexion of abduction ; connexion of a wandering soldier ; connexion of deception ; connexion of force ; connexion of mockery.

Question—How many connexions? i.e. I ask how many, or how numerous are the connexions which are distinguished or recognised for procreating, according to the ‘Fenechus’-Law? Equal rank for procreation, i.e. who have equal goodness for procreation, or equal gift in the marriage state. Connexion of equal property, i.e. the married couple who have got equal land and cattle, i.e. the wife of equal property. A woman *supported* on the property of a man, i.e. the woman *supported* upon the man’s property. A man *supported* on the woman’s property, i.e. *supported* upon the woman’s property at another time. With service, i.e. to be performed by the man or the woman. A woman received by command, i.e. the woman receives her support by order of the man ; *she is* the ‘airech’-woman, or the ‘carrthach’-woman. A man who frequents, i.e. a man who frequently pays visits to the ‘airech’-woman, or ‘carrthach’-woman. Without service, i.e. *without* performing ploughing or reaping for her. Without command, i.e. without being under order, i.e. of her friends. Without acquired wealth, i.e. outside for her. Without ‘tinol’-marriage collection, i.e. within, of her ‘seds’. Connexion of a *wandering* soldier, i.e. the married couple who are in military service, wandering from place to place. Connexion of deception, i.e. which is done in secret with a woman unconscious of it. Connexion of force, i.e. the connexion which is effected by force, i.e. *with* the violated woman. Connexion of levity, i.e. which is made through sport by a lunatic or a madman with a female idiot or madwoman.

In the connexion of equal property, if with equal land and cattle and household stuff, and if their marriage state be equally free and lawful, the wife in this case is called the wife of equal rank. The contract made by either party is not a lawful contract without the con-

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lepaigsear a cumtur; iteiriðe info comul comuir fri coibne techta in tan naðo bi occaib faðerín comobair tpebta do luad; pochraic tpe; tinol cua; comull pollaman; ril cethra do luad; lanad tpeb inþreib; comul comra; cpeic neich do ðarraib no ðeraib do toirciðib.

Lanamnuir comtincuir, .i. lanamain ip eutpama aca tecaptau tpe ocup inoile, .i. do tpe ocup buaib. Ma co tpe, .i. maðo amlaðo beir ocup tpe ocup cethra acuo po eutpama. In tpeb, .i. ocup in ni biy a nino a tpeibe do maipboile accuo po eutpama, .i. do leptaib ocup tincuir ðena. Maðo comrair, .i. commatth a cineal, cen ceillpne. Comtechta, .i. ip eutpama ip ðligðeð in lanamain pe im genur. Ac euma lanamnuir, .i. a caem amuair in lanamnuir. Ir ðon ben rin, .i. ip riur in mna rin riatur no aipneitpe ben ip comtipepnaða. Ni bi cor, .i. noco cunnriat cunopra nechtar ðe in ða naiaðo rin pech a ceile, .i. ðia riurat a ler fein. In ge, .i. inge ap aæt; ata aæt lium ann; aæt na cuir lepaigsear iat ina eumaðo co huair, .i. cia riurat a ler fein. Iteiriðe, .i. itiat po iatpaoðe. Comul comuir, .i. comtinoil, .i. accomul a comuir ðoib pe caempne, co ðligðeð. Fri coibne, .i. fri ppe nechtair ðe, .i. in nuair na bia accu buðein in ni comoppige tpebaipne ðoib, ip apo ðlegair ðo neoch ðib comar ðo ðenam pe nech aili. Comobair, .i. apathar an oenar [ip pe fer ppe ðoðena comar cen tapiguir ðoib in eutpama tapiguir fer aine ppe, ocup maino tapiguir, fer ainepne ap fer ðo ðenut comar]. Pochraic tpe, .i. peapunn ðo cennach in nuair riupat a ler, .i. ðia ap, no ðicthi a peoir. Tinol cua, .i. biaðo, .i. tinol na peola apin geppeð. Comull pollaman, .i. comtinoil bi ap cino na pollaman, .i. ap caip no noðlaic. Sil cethra, .i. na ceðra riðer ac neoch ðo cennach ðoib in nuair riut a ler. Lanad tpeb inþreib, .i. comtinoil in neich biy i nino a tpeibe ðo bpecanat ocup ðo cepeailib. Comul comra, .i. accomul a comra muc ða meðaro in uair baðeðat. Cpeic neich ðo ðarraib no ðeraib, .i. cennach inoð ip epbaðe uatib, inoach ip toirc aða ðoib muair peat a ler. Do toirciðib .i. cpeic neð ip eicm ðoib ðo eoch [aib] ocup maipboilb ðcena.

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Cach cunnrað cen ðicell, pocur pocubur iar na

sent of the other, except in case of contracts tending equally to the welfare of both ; such as the alliance of co-tillage with a lawful tribe when they (*the couple*) have not the means themselves of doing the work of ploughing ; the taking of land ; the collecting of food ; the gathering for the festivals ; the buying of breeding cattle ; the collecting of house furniture ; the collecting of litters of pigs ; the buying of stacks and *other* necessities.

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Connexion of equal property, i.e. a married couple who happen to have equal land and cattle, i.e. land and cows. If with land, i.e. if they happen to have land and cattle in equal proportion. Household stuff, i.e. what they have in the middle of (*i.e. within*) the house, of inanimate property in equal proportion, i.e. of vessels and furniture in general. If equally free, i.e. their families being equally good, without vassalage. Lawful, i.e. this couple is equally lawful to beget children. Their marriage state, i.e. of equal dignity in the connexion. The wife in this case, i.e. this description of wife is called or denominated a woman of equal dignity. Is not a contract, i.e. the contract of either of the two parties is not a contract *at all* without the other, i.e. if it is for his own good. Except, i.e. the 'except' is for 'but' ; I make an exception ; except the contracts which redound to their mutual welfare in their married state, i.e. which tend to their own good. Such as, i.e. these are they. The alliance of co-tillage, i.e. their joining with, i.e. their lawful union with a proper tribe, for ploughing. With a *lawful* tribe, i.e. with the tribe of either of them, i.e. when they themselves have not the means to perform the ploughing, it is then lawful for one of them to enter into a *compact of* co-ploughing with another. The work *of ploughing*, i.e. of the ploughing alone ; it is with a tribe-man that the co-ploughing is to be made, if he offer them the same proportion *of work* which a strange tribe-man offers, and if he does not, it is with the stranger they shall make the compact of joint ploughing. The taking of land, i.e. to buy land when it will be required, i.e. to plough it, or to eat its grass. Collecting of food, i.e. meat, i.e. to collect the flesh-meat in the winter. Gathering for the festivals, i.e. gathering of food for consumption at the festivals, i.e. at Easter or Christmas. *The buying of* breeding cattle, i.e. to buy the cattle which breed for one, when they are required. Collecting of house furniture, i.e. collecting of the property which is within the house, consisting of plaids and couches. Collecting of litters of pigs, i.e. collecting litters of pigs to fatten when they want them. The buying of stacks, i.e. the purchase of what is wanting to them, or necessary for them at the time that they require them. *Of other* necessities, i.e. the purchase of what they must necessarily have of horses and of dead chattels in general.

As regards every contract made without concealment, it should be a fair conscientious contract

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coir coitechta co nimaititíu ineach crenaí, amail ber
reilb neich penar and.

Cach cunnrao, .i. caía cunnrao do gnat can díceall neich oib da
ceile. Dícheall, .i. díubairt. Socur, .i. deacor comloige do denam
doib. Socubur, .i. imatmaíl. Iar na coir, .i. iarum amail ír coim-
tligteach doib do reir coir. Co nimaititíu, .i. co na emaititíugad in
neich ro cennaisge amuich do comroiní eataru amail ro bi a reilb ír
in ní ro racad amach.

Amail ro bi a cuir ír in ní ro racad amach roinóter in imar-
chaid fuit da cinó amuic amlaio rin; no ono comad cuirto
tobais timarerao do buit don tí ro toibis amuic he; .i. no
cona airtin co heim a hinne a cuir írin reoit ro ceanngaó an,
amuil ro bui a cuir ír in ret tucad da cinn, .i. ret innada
coiteinn tucad da chinn, ocu fuit imurcuio air, ocu atbeir
in tí racannuig in ret ní tibe ní don imurcuio don tí eile; ar
a ai ír ruinn ar do dleugit.

Ní penar nach ainim do reilce domaine i trebad
cen cocur, cen comairle, cen comlogud, ar ní coir etla
cumtara lanamnura comtincuir cen comlogud.

Ní penar, .i. noco recta do neoch oib o ceile in ní ainmiger ina
trebad, curu domaine, .i. aen dam no aen capall, ocu do neoch ber
annio doib éna, ocuirl. Cen cocur, .i. eorpro fein, .i. itir in lanamain.
Cen comairle, .i. re cennuib. Cen comlogud, .i. on tí ruir nórna
in cocur, .i. uatib uile. Ar ní coir etla, .i. uar noco coir do neotar
de don lanamain etlo in neic tinecaireir ina cumair co huair co hin-
tligteac amach, can a comlogud o caé oib da éile. Cumtara, .i. do
beir commaitiur doib.

Aurail coimpeita i roaicí rochraiti; ír cor cach
techta do beir rocomul a cumtara a comaitreilb.

¹ *Set off.* ‘Comloghadh’ means ‘compromise,’ ‘adjustment,’ ‘giving and taking,’
‘balancing of accounts,’ &c., and is translated here by the legal phrase ‘set off.’

according to equal justice, with acknowledgment of what is purchased, according to the possession in the thing sold.

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Every contract, i.e. every contract which they (*the couple*) make without the one deceiving the other. Concealment, i.e. fraud. Fair contract, i.e. that they make a fair contract of set off. Conscientious, i.e. as to its acknowledgment. According to *equal* justice, i.e. as it is equally lawful for them, according to justice. With acknowledgment, i.e. with ready acknowledgment of the thing which was bought outside, to divide it between them according to the *proportion* of their possession in the thing which was sold out.

It is according to their shares in the thing which was sold out that the gain which is got by means of it outside is divided; or else the person who levied the gain outside shall obtain the share belonging to the person who levies; i.e. or with ready acknowledgment as to his share in the ‘seds’ which are purchased on the occasion, according to his share in the ‘seds’ which were given for them, i.e. ‘seds’ of general increase were given for them, and gain is obtained upon it (*the bargain*), and the person who bought the ‘seds’ says that he will not give any part of the gain to the other person. *This, however, is unjust*, for it ought to be divided into two parts between them.

Any animal which has become useless for ploughing shall not be sold without consultation, advice, and set off,¹ for the mutual advantage of a connexion of equal property is not to be evaded without adjustment.

Shall not be sold, i.e. one of them (*the contracting parties*) is not to sell from the other the animal which fails in his ploughing, so that he becomes useless, i.e. any ox or any horse, and whatever is useless to them in general. Without consultation, i.e. between themselves, i.e. between the married couple. Without advice, i.e. *without advising* with their chiefs. Without adjustment, i.e. from the person with whom the consultation was made, i.e. from them all. Is not to be evaded, i.e. it is not right for either of the married couple to make away unlawfully with the thing which is provided for their mutual accommodation, without an adjustment being made by the one to the other. Mutual advantage, i.e. which brings equal good to them.

Every arrangement about ordering their children to be placed with a friendly foster father; and every lawful contract which brings mutual comfort and advantage into their common habitation is binding.

Ordering¹ *their children*, ('coimperta,') i.e. commanding what is begotten from them, i.e. their children *to be placed* with a good friendly fosterer is a good contract for them *both* also. Every lawful contract, i.e. that is a proper contract according to every law, i.e. of all these. Which brings mutual comfort, i.e. which brings goodly comfort upon them in their happy state in their common habitation, i.e. which brings a good bond of union to them in their common habitation.

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Every contract *made* without deceit *is binding*; for either of the two parties can dissolve the bad contracts of the other; they cannot dissolve their good contracts, such as we have enumerated, if every arrangement be made for mutual convenience, conscientiously, without deception or dispute.

Every contract *made without deceit*, i.e. every compact which they make without the existence of anything detrimental to one of them, such as original diseases, or concealed defects *in the cattle*, or fraud *of any kind*. Without deceit, i.e. without fraud. Can dissolve, i.e. for either of these two parties can dissolve the other's bad contract by impugning it, when there is any of these *frauds* in it, i.e. if they themselves require it. They cannot dissolve, i.e. unless it is necessary, i.e. though they should require it. Such as we have enumerated, i.e. such as we have mentioned before *as possible* between the married couple. If *every arrangement* be made, i.e. if every settlement be made without any deception in words between the married couple. Without dispute, i.e. without any contention or dispute, i.e. of suing. For mutual convenience, i.e. with perfect equalization as to their property. Conscientiously, i.e. with good conscience as to equal acknowledgment.

If they separate, let every separation *be* without fraud; if their separation be from choice, let them divide lawfully. One-third of every *kind of* produce goes to the owner of the land, except the produce of the hand; one-third to the owner of the cattle from which the increase springs; one-third to attendance. It (*the produce*) is divided according to the desert of each as to land, and cattle, and attendance; if their property be equally good, or if it be equally bad, they divide the thirds accordingly.

If they separate, i.e. if they separate, every separation which they make ~~should~~ be without the one defrauding the other. If *from* choice, i.e. if it be

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λεῖρ na heoláibiat ac fearas, a mbeir co comoligteé aráen. Conpolaic, .i. ír can fodeiligit roinno ineich bír aturru co oligteé, amail dleáit. Trían, .i. inoas do roinno a trí. Acht lamtoíad, .i. uair nocon fuil ní do éir ar in lamtoíad, no da mbeith, comas .u.íeo. Trían do cethra, .i. trían do na cethraib ír bunas uair o ninaíann in tinoas. Do urgnam, .i. do urgaíab. Conpolaicthe, .i. ír can fodeiligithe eiric do cáe amail ariúlitige. Íar trí, .i. trían do trí. Cethra, .i. trían do bunas. Uirgnam, .i. trían do fúichnam. Mat comaité, .i. mas comoligteé íat. Comolca, .i. cominligteé íat. Ír in tuchit ro, .i. ír fo in nge íreo fodeiligit a tione.

Trían nupgnuma innuoa cethra; conpolaicthe a trí: trían do aithiuch tige, trían do mnai fúir í mbi aithechur tige, trían do urgnamtaib, .i. dia urgaíab, ír de ata “mac ríabha gaíre.”

Trían nupgnuma, .i. trían uairí rognama na cethra inaíar ann, .i. trían fúichnama. Conpolaicthe, .i. ír can fodeiligithe eiric í trí. Trían do aithiuch tige, .i. trían don tí aitéir in tée, fear in tige, ar íaríad. Trían do mnai, .i. trían don mnai íbír ac aitéic in tige, .i. ar eírad, .i. ar íeíreo. Dia urgaíab, .i. ar imcoimeit. Ír de ata, .i. ír doni rín ata, no ír don inoir rín rín ata in ríabha do beir don mac tar rólaio na gaíre do denam.

Sic.

Ac cumas mblicht conpolaicthe a trí íar trí, ocur cethra, ocur urgnam. Trían nupgnuma, a lech do mnai do gni, a lech naill in lechtrín do letríab; a lech naill, da trían do aithech tige, ar aen trían do urgnamtaib fo tnebta.

Ac cumas, .i. a coimeit no a curpuma rann in láet, .i. bílaet do roinno í trí amail innas. Conpolaicthe, .i. ír can fodeiligithe eiric í trí rannaib. Íar trí, .i. trían do trí. Cethra, .i. trían do buaib. Uirgnam, .i. trían do lucht in urgnama. Trían nupgnuma, .i.

decided by those learned *in the law* that they should separate, both should be equally lawful. Let them divide *lawfully*, i.e. they should make a fair division of the thing which is between them lawfully, as they ought. One-third, i.e. the increase is to be divided into three parts. Except the produce of the hand, i.e. for nothing is due to the land out of the produce of the hand, or if there be, it is one-sixth. One-third to *the owner of the cattle*, i.e. one-third to the owner of the original cattle from which springs the increase. One-third to attendance, i.e. to the shepherds. Is divided according to the desert, i.e. it is fairly divided among all according as they deserve. As to land, i.e. one-third to the land. Cattle, i.e. one-third to the owner of the original stock. Attendance, i.e. one-third to service. If equally good, i.e. if they be equally lawful. Equally bad, i.e. if they be equally unlawful. Accordingly, i.e. it is after this manner they divide their thirds.

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One-third of the *cost of attendance* falls on the increase of the cattle; it (*the increase*) is divided into three parts: one-third goes to the man of the house, one-third to the woman with whom cohabitation in the house is had, one-third to attendance, i.e. to the shepherds, from which is derived *the saying*, "the son who receives the portion for maintenance of the old."

One-third of the *cost of attendance*, i.e. one-third of the *cost of attendance* on the cattle which increase, i.e. one-third of the *cost of service*. It is divided, i.e. this is fairly divided into three parts. One-third to the man of the house, i.e. one-third to the man who frequents the house, the man of the house, for his herding. One-third to the woman, i.e. one-third to the woman who is with the man of the house, i.e. for littering, i.e. for a sixth. To the shepherds, i.e. for minding. From which is derived, i.e. it is from that thing, or that circumstance, is derived the portion which is given to the son in consideration of his doing the duties of maintaining the old.

The amount of the milk is divided into three parts between *the owner of the land*, and the *owner of the cattle*, and *those who perform the service*. Of the third for the service, one-half is due to the woman who performs it, of the other half-third, one-half is due to the owners of vessels; of the other half-third, two-thirds are due to the man of the house, and one-third to the attendants of the house.

The amount of *the milk*, i.e. the amount or proportion of the milk, i.e. the milk is divided into three parts like the increase of the cattle. Is divided, i.e. it is fairly divided into three divisions. Between *the owner of the land*, i.e. one-third to the land. The *owner of cattle*, i.e. one-third to the cows. Service, i.e. one-third to the attendants. The third for the service, i.e.

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reirso loineoá do marðentair, ocur marðentair cáá ben a leir re lacht. Á lech, .i. let leir in tñin, aile dec in laim eiric do lert-
tra; a dá tñian raíoe do marletrair, in toetmaro rann dec; ocur a
tñian do minoletrair, in reirso rann trichat. Á lech naill, .i. in
let aile lete in tñin, in aile dec aile. Dá tñian, .i. in ochtmaro rann
dec. Á r aen tñian, .i. in teirso rann trídát. Dó urgnamtaib, .i.
do ugarub; ocur a roind reic ar do itir buachaillib bo ocur laeg, cen-
motha cuirig uairtneach uimarear do bñe do buachaillib bo, no co
noechrat laig; comairteacht lachtá, ocur o rachtat, a bñe do buachaillib
bo uile.

Maro aile dá lina beta olca polair, racabair a cuir
urgnuma in mirlotais lar in ropoltach, ocur ni diup-
anar tñi na ceithra.

Maro aile, .i. maro nechtar de in dá naimatorin ber olca polair, .i.
rhaet aolairai; ocur a ceile mro. Racabair a cuir urgnuma, .i.
uiri acoatich rputhnuma on aolairair. Ocur ni diupanar, .i. noco
diubairtar hi in cuirto tñe na ceathra.

Tñian urgnuma etha ocur railli rannatar a tñi,
.i. tñian ar do mnai rñir i mbi ar ocur buain, ocur
cñud, ocur diachar, ocur methar, acht methar for
bliet, it dá tñian iñuidiu do mnai.

Etha, .i. in arba. Sailli, .i. 'na muc, .i. eppar na muc aice nama,
ocur beoentair hi á let rñir in arbur. Rannatar, .i. urrannatar i tñi
eiric. Tñian, .i. rñir a noentair. Á r, .i. ir in neppach. Buain, .i.
ir in foimur. Cñud, .i. na laeg, ocur na mbanab ocur rl. Diachar,
.i. na nairman ocur na muicre ocur rl. Methar, .i. na muc for mer
Ácht methar, .i. acht mi méair for in lacht; dá tñian ar aniaoa-
ir in don mnai; a tñian rñuchnama; ocur marðiantair hi annairdec co
cuirig marletrair aice, .i. ar dá tñian in tñin tñir annairde, .i. reirso
loineoá. It dá tñian, .i. ceithramtu acht ceithramtu nomar.

Teora muca ar a mbeir ben ocht rano dec; mucc inoioa,

¹ *Salting portion.* The term 'Cuitigh Uairtneach' is glossed thus, .i. in bo blesur
rñir in uairtan, .i. rñir in ralan, no rñir in m-balsum. "The cow that is
milked with the 'uairtan,' i.e. with the salt, or with the mouthful."—O'D. 2098.

the sixth of the produce of the churn^a is due to the great worker, and every woman is a great worker in regard of milk. The half, i.e. one-half of one-half of one-third, or one-twelfth of the whole is due to the owners of the vessels; two-thirds of this to the owners of great vessels, i.e. one-eighteenth; and its third to the owners of small vessels, i.e. the one-thirty-sixth. The other half, i.e. the other half of the half of the third, i.e. the other one-twelfth. Two-thirds, i.e. the one-eighteenth. One-third, i.e. the one-thirty-sixth. To the attendants, i.e. the shepherds; and this is divided into two parts between cowherds and calfherds, except the salting portion¹ of excess which the cowherds obtain, until the calves come to suck,^b and when they do, all the herds obtain it.

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^aIr. churn-stick.

^bIr. accompany the milk.

If one of the two parties be of worse quality, the service of the unqualified is forfeited to the well qualified person, but he or she is not defrauded of his or her land or cattle.

If one, i.e. if either of the two parties be of worse quality, i.e. this class of cases refers to an adultress and her paramour. The service is forfeited, i.e. her service is forfeited by the adultress. Not defrauded, i.e. she is not defrauded with respect to her land or cattle.

One-third of the amount due for service rendered in the production of corn and bacon is divided into three parts, viz., one-third for the woman by whom the ploughing and the reaping are done, and by whom the young of cattle are fed, and who superintends the feeding of working men, and the fattening of cattle, except in case of the fattening with milk, for which two-thirds are due to a woman.

Of corn, i.e. the 'arba'-corn. Of bacon, i.e. of pigs, i.e. she has the littering of the pigs only, and she is a small worker with respect to the corn. Is divided, i.e. this is divided into three parts. One-third for the woman, i.e. with whom they are done. The ploughing, i.e. in the spring. The reaping, i.e. in the harvest time. Cattle, i.e. of the calves, and of young pigs, &c. The feeding, i.e. of the ploughmen and of the swineherds, &c. Fattening, i.e. of the swine upon mast. Except the fattening with milk, i.e. except what is fattened with the milk; the woman has two-thirds out of this particular thing; one-third for attendance; and here she is a great worker having the share due to the owner of great vessels, i.e. for she has two-thirds of the third for this, i.e. one-sixth² of the produce of the churn.^c Two-thirds of one-third, i.e. one-fourth except the

^cIr. churn-stick.

There are three pigs out of which a woman obtains the eighteenth part: a pig of increase which is fattened upon masts but of

² One-sixth. This is incorrect, for $\frac{2}{3}$ of $\frac{1}{3}$ is not $\frac{1}{6}$, but $\frac{2}{9}$. The true calculation is given at the next line: $\frac{2}{3}$ of $\frac{1}{3} = \frac{2}{9} = \frac{1}{4} - \frac{1}{36}$.

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ocur metar for mear, ocur ni fil cuir di i methao; ocur muc nac innuðā, ocur po raiḡ in ben leryḡao buacalla, ocur muc nach innuð, ocur methar for arbur; ocur ir becdentais.

Ṭa muc ar a mbeir aile dec, .i. muc metar for lacht, amail arbeir,

Alí dec do mnai,
Al raiḡ muice crai;

ocur cio for arbar dono, ir alí dec mac muc tpeice, ocur ir marpentaro in ben.

Teora mucā ar a mbeir ix., .i. muc innuðā; ocur po raiḡ leryḡao buacalla, ocur ir becdentaro co ninuile; ocur muc innuðā ocur metar for arbur, ocur ir becdentaro beour; ocur muc luaisghir do arbur, ocur metar for arbur, ocur ir becdentaro beour.

Sic.

In toric petā dono, ocht pinninge dec, ir rruu ruaglaisḡter, .i. ire dib do bunao, ocur a re do ēir, ocur a re do rriḡnam.

Cio roderā trian do bunao irunð, ocur leath do bunao muice i mbaile aili. Cach muc ar thuailng a beathao a haenur ar di ata leath, ocur na hai nacha thuailnge comao a trian airtē. Trian rriḡnama rianotar i nðe, .i. a leath do mnai, a leath aili do fīr ocur do augairuib, ocur do minletruib ocur do marletruib. Rannraige i nðe iterum, .i. a leath do marletra ocur minletruib, a leḡ naiḡ do fīr ocur augaire, .i. leithpinning do minletruib, ocur pinuig do marletra, a chumao do fīr ocur augaire. Ir lair in mnai cuir marletra, .i. abel, co nað ceathramao don mnai aḡ ceathramthu dechmao.

Nomao do mnai a lin for a coir, amail arbeir,

Ercra roir
Mac for a coir;

beth rechumao di iar na tirmuḡao, ocur trian iar na ailḡbato, ocur leth o fein ruar.

Oḡtmao do mnai ar lomrao, ocur ui.eao di iar na cet

which she has no share in the fattening ; and a pig which is not of increase, of which the woman gets the *share due for* swine-herd's service, and a pig not of increase and which is fattened on corn ; and she (*the woman*) is a small worker.

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There are two pigs out of which *she obtains* the one-twelfth, i.e. a pig which is fattened upon milk, as it (*the law*) says,

The one-twelfth to the woman,

Of the bacon of a sty-pig ;

and even if it has been *fattened* on corn, it is the one-twelfth *that is due to her* if the pig was purchased, and *in case* the woman is a great worker.

There are three pigs out of which she gets one-ninth, i.e. a pig of increase ; *in this case* she provides the service of a swineherd, and she is a small worker with cattle ; a pig of increase which is fattened upon corn, and she (*the woman*) is also *in this case* a small worker ; and a pig which is purchased with corn, and fattened on corn, and she (*the woman*) is *in this case* a small worker also.

The *price of the* petted hog also, of the value of eighteen pence, is thus regulated, i.e. six of them (*the pence*) are *due to the owner of the original young pig*, six to *the owner of the land*, and six to *those who give the attendance*.

What is the reason that one-third is *given to the owner of the original young pig* here, and one-half to *the owner of the original young pig* elsewhere ? *The owner of every pig* which is able to feed alone is entitled to one-half, but *the owner of* such as cannot is *entitled to only* one-third. The third due to service is divided into two parts, i.e. one half to the woman, and the other half to the man and to the shepherds, and to *the owners of the small vessels and the large vessels*. These are again subdivided into two parts, i.e. one half to *the owners of great vessels and small vessels*, and the other half to the man and the shepherd, i.e. one halfpenny to *the owner of the small vessels*, and a penny to *the owners of the large vessels*, as much to the man and the shepherd. The share of the *owner of great vessels* is the woman's, i.e. an obole, so that the woman gets the one-fourth, except the one-fourteenth.

The woman gets one-ninth of growing flax, as is said,

"A vessel of flax,
If it be on foot"

(*i.e. standing*) ; she shall have one-sixth of it after being dried, and one-third after being scutched, and one-half from that out.

One-eighth of *the wool is due to the woman* after its being shorn, and one-sixth to her after its greasing, and one-third after its being

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belao, ocur trian a cirta aobalam, ocur leat o fein ruar;
comao leth fri bunao, ocur comao for an lea aile no beth
in[comruinn]re innreo; no cona hairmítea bunao etir or
aurlam.

Maó la mnai cairig, comao leat caáa hepnailé oib ro do fir
co huplamao, ir paino inde annaíde do zper.

Fritghnam eruaig fri har ocur cruó; da trian
a olizig na mna af.

Fri har, .i. do denam ant. Cruó, .i. na muc. Da trian, .i. in
.ix. ao, .i. da trian a mbia oi ar in mbliatoin aoe irreo olizer ar in
neirach a aenur.

Nomao inóda in fir don mnai occa mbi inóile. Maó ben
cen inóile, ir .iiii.ao trian fritghnama oi i ninoída; no reétmao
nomao. Maó maróentao co ninoíle, ir reireó oi a harbaim.
Maó beoóentao co ninoíle, ir .ix.ao oi a harbaim. Maó
maróentao cen inóile, ir reétmao trian fritghnama oi, conao
hi in .ix.mao rann fichit in arba uile; no reétmoó a leiti in
trian, conao hi in daia rann cethraáat in narba uile; no ir
inann a cuir ocur beoóentao co ninoíle, .i. .ix.

Maó beoóentao cen innile, ir .ix. trian fritghnama oi, conao
hi in reétmoó rann fichit in arba uile; no .iiii.ix. .i. in
trear rann feráat ino uile; no ir reétmoó trian fritghnama,
iar mac rampatán.

Ben in .ix. dia lectar i mbelline, ir da trian inomao
berer; ben in ogmair, ir trian in nomao; ben in rampao,
ir trian trian nomao oirige; ben in zeimrio, ir trian inna
cenmao painde .lxxx. oi.

Acbeir cathan ir cutrúma cuir maróentao co ninoíle ocur
cen inóile a trian fritghnama. Beoóentao rineliter.

Lin ocur glairín ní fíl ní oib do tiri, ara laiged neich ro
reireao do tiri, ocur meit fritghnama friur ocur loizghinóe.

¹ *Divided in two.* In O’D. 302, the reading is ‘inníro’ for ‘annaíde’ of the text.

² *Twenty-first part.* The Irish has the twenty-ninth part, which must be a mistake.

³ ‘*Glaisin’-dye-plant.* The word ‘glaisin’ is not explained in any published Irish Dictionary; it is very probably the name of some plant used for dyeing blue, as would appear from a passage in the life of St. Ciaran of Clonmacnois, contained in the book of Lismore, fol. 78, b. col. 1.

rough combed, and one-half from that out; or, *according to others*, the original owner gets one-half, and the other half is divided, as here mentioned; or, *according to others*, original ownership is not reckoned (*i.e. taken into consideration*) when it (*the wool*) is completely prepared.

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If the sheep belong to the woman, the man shall have one-half of *the wool* in all these stages until it is completely prepared, after which it is always divided in two.¹

As to the amount due for the service of Spring in ploughing and fattening; the right of the woman out of it is two-thirds.

In ploughing, *i.e.* to be done in it. Fattening, *i.e.* of the pigs. Two-thirds, *i.e.* of the one-ninth, *i.e.* two-thirds of what is due to her for the whole year are due to her for the spring work alone.

The ninth part of the *cattle* increase of the man is *due* to the woman who has cattle. If she be a woman without cattle, she has the one-seventh of the third of the increase for her service; or the seventh of the ninth. If she be a great worker with cattle, she has the sixth of the corn. If she be a small worker with cattle, she has the ninth of the corn. If she be a great worker without cattle, she shall have the one-seventh of the third for her work, which is the twenty-first part² of the whole *amount of the corn*; or, *according to some*, the seventh of one-half of the third, which is the one-forty-second part of the whole *amount of the corn*; or, *according to others*, her share is the same as *the share of a small worker with cattle*, *i.e.* the ninth.

If she be a small worker without cattle, she shall have the ninth of the third for her service, which is the twenty-seventh part of the whole *amount of the corn*; or, *according to others*, the seventh of one-ninth, *i.e.* the sixty-third part of the whole; or it is the seventh of the third for service, according to Mac Samhradhan.

If the woman entitled to one-ninth be put away in May, she shall obtain two-thirds of one-ninth; the woman *put away* in the Harvest time, gets one-third of the ninth; the woman *put away* in the Summer, one-third of the third of the ninth; the woman *put away* in Winter is entitled to one-third of the one-eighty-first part.

Cathan says that the share of a great worker with cattle and without cattle is the same when one-third is for service. A small worker *similiter*.

Of flax and 'glaisin'-dye-plant³ no part is due to *the owner of the land*, on account of the smallness of the quantity which could belong to the land, and the greatness of the price of the service and the price of attendance.

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[In tinnud do ruinn a tri, aét ma re innud na mna.

Trian tpe aigerium ann, ocuf trian bunud aicepe, ocuf trian puchnuma do compuin doib ecurruo; a trian tpe ar liarrud, a trian do mna ar epruo, ocuf trian do aegaire ar coimeo; aét maia léri aegaire iŕ cuic nomuio aicepe, ocuf ceitpe nomuio aigerim.

Maŕ leirium aegaire, iŕ cuic nomuio aigerium ocuf ceitri nomuio aiceri; ocuf maŕ leo maŕaen, iŕ roinn ar do eacurruo.

Maŕa lepe aegaire, iŕ da nomao aicepe ann ocuf ŕeét nomuio aigerium. Maŕa leirium aegaire, iŕ oét nomuio aigerim ann ocuf nomuio aigteri. Maŕa leo imaraen, iŕ nomao co leé aiceri ann, ocuf leé nomuio aigerim.

Cio ŕada bet a laiŕ a coimeeteét laiéta noch a ŕfuil a ruinn no condechruic a noirŕe, ocuf o rachuit iŕ ann ata a roinn.]

Leath do mna a etach no lamtopao ŕuithiu; trian a cipehu adblam; lethtrian alloaib, ocuf a ŕcuapaib lin; trian a cruib ŕlaigne, leth maó coitethe.

Al etach, .i. uplam, no o biaŕ ina ŕuath uplam he iaŕ na éoirieth-nuŕao do o laim da ŕuim. Adblam, .i. adbul, conach em conach uplam he, aét a cipao ar belao ocuf ar cumapo na holla. Lethtrian alloaib, .i. leé in trin, ŕeipeo na holla. Al ŕcuapaib lin, .i. ar ŕcuapaib do ŕenam do, ocuf ara tiurmuŕao. Trian a cruib ŕlaigne, .i. aŕin ŕlaign in a cet cru. Leth maó coitethe, .i. aŕ in cru tanairte, no maóat huplam.

Cetheora ŕandoa ŕuil ŕop ollaino, .i. .uii. maó ar lompoao, ocuf .ui. eó alloaib; ocuf trian a cipeho adblam, leth o da cae beoíl ino, iŕiŕ abruŕ ocuf etach.

¹ 'Cru'-state. The word 'cru,' in the sense in which it appears to be used in connexion with the word 'glaisin,' has not occurred elsewhere in the Irish Laws. It is used apparently to denote the 'glaisin' in some state of its preparation, before being ready for use.

The increase is divided into three *parts*, unless it be the increase 'CAIN LANAMHNA,' belonging to the woman.

In this case he (*the man*) has one-third for the land, and she one-third for the original stock, and they divide the one-third for the service equally between them; one-third *goes* to the man for his herding, one-third to the woman for littering, and one-third to the shepherd for minding; but if the shepherd belongs to her she shall have five-ninths, and he four-ninths.

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If the shepherd belongs to him, he shall have five-ninths and she four-ninths; and if he belong to both, it (*the increase*) shall be divided into two *equal parts* between them.

If the shepherd belongs to her, she shall then have two-ninths and he seven-ninths. If the shepherd belongs to him, he shall then have eight-ninths and she one-ninth. If he belong to both, he shall have a ninth and a half, and she half a ninth.

However long the calves may be sucking the cows,^a they shall not be distributed until they (*the cows*) run dry, but when they do run dry then they (*the calves*) shall be distributed.

^a Ir. Accompanying the milk.

One-half of cloth or the produce of the hand by spinning is due to the woman; one-third of *wool* which is combed once; half one-third of *wool which* is in locks, and of sheaves of flax; one-third of the 'glaisin'-dye-plant in the 'cru'-state,¹ one-half if prepared.

Of cloth, i.e. prepared, or when it is in the shape of prepared thread being produced by her hand in spinning. Once, i.e. in its first process, when it is not prepared, but combed after the wool has been greased and mixed. Half one-third of *wool which* is in locks, i.e. half the third, or one-sixth of the wool. Of sheaves of flax, i.e. when it is made into sheaves, and when it is dried. One-third of the 'glaisin'-dye-plant in the 'cru'-state, i.e. she has one-third out of the 'glaisin'-dye-plant in the first 'cru'-state. One-half if prepared, i.e. out of it in the second 'cru'-state, or if it be prepared.

There are four divisions of the wool, i.e. one-eighth is due to the woman after the shearing, one-sixth when it is in locks, and one-third when it is first combed, one-third when the grease is put into it, and both of thread and cloth.²

² *Thread and cloth.* The more the manufacture of the wool was advanced the more the woman was entitled to at her separation from the man or husband, because she was allowed for her work, and paid in the material or manufacture she had worked at.

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Ceitheora randa dī for glairin, .i. nomad [ar buain na glairin]; .i. eð iar na minugad co techt a cro, [.i. ar in glairin ina cet cro]; trian iar na cet corad; leth mað co tairde.

O'D. 302.

Ceitheora randa dī for lín; heceora rair dī mað for a coir beth in lín; nomad a reuapair cen thuargain; reireð mað innairta; leth o do choi o clair.

Teora ranna beper per o mnai do inoad, itir bu ocuf caeréa 7rl.; reireð ar na leasib do bepad na ba leo ina mbroim; trian ar a laeasib riçe irin tper bliadain, .i. trian tpe, ocuf leth trin puthgnama 7rl.

Nī toroimle cechtar do lina dia raille ir diler do mað tria comlogud do biathad ocuf etiuð.

Nī toroimle, .i. nī toimeleper cechtar de in daimat rin ina ceile do comloigib.

.i. Ir diler do cad nī caíper do buð ocuf deat, mað iar na comlogad, uair ir dīb rein ir doic in comlogud do denuim; ocuf cio do neicib aile do neair he, buð diler; no cona bað diler comlogud do neithaib aile aét dīb rin.

Ir de arbeir "irlan cach cocraithe comloige." Arrenar aithgein cach diubairt co logud, no inepanar a lo imreartcha.

Ir de arbeir, .i. ir de raitir no airneigir. Irlan, .i. irlan o neoch in nī dīb no ciallrunaigirir do tabairt iar na cocuir. Arrenar aithgein, .i. ir uair eirnitheir aithgein in cad nupain ebairt beper neð dīb o ceile, ocuf aétugad ice uil anð .i. icair aithgein i cach diubairt co no loigter, crober inbaio inapartar co rcarad .i. ar oin no ar arliucuo tucad, ocuf nocor cinuð re. Co logud, .i. co roib logud ann on ti o rucad. Inepanar, .i. no eirnitir a hic ir in lo i nðenat imreart, ocuf aétugad ice uil anð.

Nī ropoxla tairde no cnet no rogairiuð no ropcomul

¹ From the board. In O'D. 303, the reading is 'rop clair', i.e. on the board.

Four divisions of the 'glaisin'-dye-plant are due to her, i.e. the 'CAIN LA-NAMHNA,' OR LAW OF SOCIAL CON-
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ninth when the 'glaisin'-dye-plant is pulled; one-sixth after it is smoothed, until it comes into the 'cro'-state, i.e. she has this out of the 'glaisin'-dye-plant in its first 'cro'-state; one-third after its first hardening; one-half if it be completely prepared.

Four divisions of the flax are due to her: she is entitled to a vessel of flax-seed if the flax in the stalk be growing: to a ninth if it is in sheaves without being scutched; one-sixth if scutched; one-half if it went from the board.¹

The man obtains from the woman three divisions of the increase, both of cows and sheep, &c., one-sixth of the calves which the cows carry in their womb; one-third of these calves in the third year, i.e. one-third to the owner of the land, and half of one-third to those who perform service.

What either of the two parties consumes is forfeited to that party if there be set off as to food and raiment.

What *either* consumes, i.e. what either of these two parties uses belonging to the other is mutually remitted.

That is, what either *party* uses of food and raiment is remitted, if a claim for set off exists, for it is of these it is likely the set off is to be made; or if it be made of other things, they shall *also* be forgiven; or, *according to others*, no set off of any other things except these is allowed.

Hence it is said: "every thing adjudicated to be a matter of set off is safe." Restitution shall be paid for every fraud until there is satisfaction given, or it shall be paid for on the day of separation.

Hence it is said, i.e. from it is said or observed. Is safe, i.e. what one has advisedly given after its being awarded is safely withheld from him. Restitution shall be paid *for every fraud*, i.e. restitution is fairly paid for every overplus that one of them has obtained from the other, and there has been a stipulation of payment in this case, i.e. restitution is paid for every fraud, so that there is satisfaction given for it, at whatever time it is sued for, until the separation takes place, i.e. *if* it was as a loan or at interest it was given, without specifying the time. Until there is satisfaction given, i.e. until there is satisfaction for it *made* to the person from whom it was taken. It shall be paid for, i.e. the payment shall be made on the day on which they make the separation, and there is a stipulation of payment in the case.

That which is taken away in theft secretly or openly or by violent seizure, shall be paid for with addition

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necne, arpenar cona fuillem co diabul naithegenā.
Māo marbōile māo beoōile, co nar ocup lor ocup
fuillem ocup fuilliuo.

Ni foroxla, .i. ni foxlar nech oib o ceile i ngoit. No cnet, .i. co hipeal. No foroiriuo, .i. cu haro. No forcomuil necne .i. no fir forcomuil tre eicin faruigēte. Arpenar, .i. ir uar eiriuir eiric cona fuilleam imon neneclann. Cona fuillem, .i. i nairgit, ocup bia diabla cen co tuc ar airo. Co diabul, .i. in oipe. Māo marbōile, .i. ocup bia fuilleam leo. Co nar .i. inorbairt na ret, .i. na colla beoraithe. Lor, .i. na laig. Fuillem, .i. in inorbairt .i. in laet. Fuilliuo .i. in diabla .i. in oipe.

Mara neigin no mara ngait rucart a reoit uaithe, aet mara marbōile, ir lan fiach gait inoitib fo cetoir, ir fuilleam do rith riu amail no betir for treabair eactrann; mara beoōile inorru, ir lan fiach gait fo cetoir, ocup lor ocup ar ocup geart inoitib iar rin, ocup lacht ocup gnimrat dairac uao.

O'D. 303.

[.i. Mar ar ecin, no mar ar dāgin a ngait rucart a reoit o neoch, mara marbōile no gatar ann, no beoōile ag na fuil inorbairt, lan fiach gait do fo cetoir, ocup fuilliuo do rith riu amail no betir for trebair eactrann cu cenn mbliatna.

Mara beoōile agana aicintā innuo do bet, aet ma rucrat innuo amuig, aet ma maiut acuo e, ir a airtuc leo, ocup muna maiuinn, innuo a macaramluio da epe.

No mara beoōile inurro, lanfiach gait inoitib fo cetoir, ocup ar ocup lor ocup geart inoitib iar rin; ocup laet ocup gnimruio do airtuc uao; ut est legim, qui airtur in oulibi inerat, niri per ortum fur est, .i. in ti tet conuirt eile irin iar caerae aet tar a dorur ir amuil gatuige ē; ir amluig rin ata in ti tet a relb nech eile gan oligeo aige, ir amuil cpehuire ē.

Muna rucrat innuo amuig, ir cetruio coma roga innuoa dōir bunuio, .i. rearuio rinne lair na eachaib, no laig bunuine lair na buab.]

¹ *Theft.* 'goit' here stands for both larceny and robbery.

² *Dead Chattels.* The word 'marbōile,' translated 'dead chattels,' is probably a clerical error for 'marbōile,' which occurs frequently in the Irish Laws.

and with double restitution. If it be dead chattels ^{'CAIN LANAMHNA,'} or live chattels, *they shall be returned* with growth, and ^{OR LAW OF SOCIAL CON-} increase, and interest, and addition. ^{NEXIONS.}

That which is taken away, i.e. the thing which one of them takes away from the other in theft.¹ Secretly, i.e. privately. Or openly, i.e. publicly. Or by violent seizure, i.e. actual violent seizure by force and compulsion. Shall be paid for, i.e. it shall be fairly paid, with interest respecting the honor-price. With interest, i.e. of what they sue, and there shall be double paid though he did not bring it into view. With double, i.e. the 'dire'-fine. If dead chattels, i.e. and there shall be interest with them. With growth, i.e. the growth of the 'seds,' i.e. the bodies (*original stock*) with them. Increase, i.e. the calves. Interest, i.e. the increase, i.e. milk. Addition, i.e. the double, i.e. the 'dire'-fine.

If it be by force or by theft her (*the woman's*) 'seds' have been carried away from her, if they be dead chattels, full fine for theft shall be paid for them at once, and interest shall accumulate upon them, as if they were on the security of external persons; but if they be live chattels, full fine for theft shall be paid at once, and increase, and growth, and milk for them afterwards, and the milk and the work shall be returned by him (*the man*).

If it be by force, or with a view of stealing them, that his 'seds' have been taken away from one, if they be dead chattels² that have been stolen in the case, or live chattels which have no increase, full fine for theft *shall be paid* to him at once, and interest shall accumulate upon them, as if they were on the security of external persons to the end of a year.

If they be live chattels, which, it is natural, should have increase, *they shall be returned*, and if they have borne increase outside, and that it live with them, it shall be returned along with them, but if it is not living, similar increase must be given in its place.

Or, if they be live chattels, full fine for theft *shall be paid* for them at once, and the growth, and increase, and milk for them after that; or the milk and the work, shall be returned³ by him; as it is written "he who goeth otherwise into the sheep fold⁴ than by the door is as a thief;" so likewise is he who goeth into the possession of another person without having right, he is as a plunderer.

If they (*the chattels*) have not borne increase outside, it is the opinion of lawyers that the original owner may have his choice of increase, i.e. male foals with the horses, or female calves with the cows.

³ *Shall be returned*, i.e. compensation shall be made for their milk and their work.

⁴ *The Sheep-fold*. The word 'oulibi' in the text is no doubt intended for 'ovile.'

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Óileir each oin, each aipliciu, each reic, each
cpeic [cin imoibuir] do cechtar da lina dia rain-
oiluir padeirín, co ríce log nenach do each iarín a
coir cunnruada. Fothu, fuiriu do cechtar da lina
ro mias.

Óileir each oin, .i. rírcara araile. Aipliciu, .i. ar araill
leiceir .i. imach. Each reic, .i. imoch. Each cpeic, .i. imuch.
Cin imoibuir, .i. caé ní beirer nech oib o ceile [cin] emoibuir.
Dia rainoiluir, .i. dia rainoiluir busein, .i. dia cuir móra ocur
rígnaí, no da trian tinnol trebda. Co ríce log nenach, .i. co log
a enech in éad dano coir cunnruada do venam, .i. do na ceithri mnaib
oligécha. Fothu, .i. in ní ír coir oib fothugad írín do. Fuiriu,
.i. in ní ír coir oib fuiriu ír in aité for dampaí. Do
cechtar da lina, .i. do cechtar de in da naoimad rain ro uairligia-
taíde.

In be cuircheirí, ocur in cétmuinitir co macaib ocur cen
macu, ocur in adaltrach co macaib, do beirad na ceithri mnaí ra
log a nenech busein dia forcpaí a naíroí a fer ocur a necmaí,
a noin ocur a naipliciu, a coraib ocur i cunnruadaib; ocur gairb
a naithne; ocur do beirad da trian loige a nenech fein, cío
a naíroí cío a necmaí a fer, dia lethimol; ocur do beirad a
forcpaí uile do fuairugad a carat a glar no rlabraí; do
béirad a lethimol co ríce rocor no angbocht, ocur tairíde a
raithídear rí log i neneé a naíroí a fer, ocur rí trian loige a
nenech a necmaí, ocur ír aítairíde a roáir, ocur tairímechta
a roáir.

O'D. 2253. In adaltraí cen macu ní tabair i necmaí aét croman [ocur
ferpaí ocur aiceo]. Ní tabair cío a naíroí aét ní forcongaí
a cheile. Do beir a forcpaí do fuairugad a carat, ocur feríde
dia lethimol; ocur teit rí trian loige a neneé dia naí be

¹ *Without fraud.* In O'D. 1119 the reading is 'each cpeic, caé nimuibuir,'
i.e. every sale, every fraud, but in O'D. 305 the reading is 'each cpec cin
imoibuir,' (i.e. every sale without fraud.) This seems the correct reading,
and the same MS. adds, "if there be fraud the fraud is not forfeited till it amount
to the honor-price of each, i.e. of each of the four lawful wives, but they are not
commensurate with the honor-price of the men."

Every loan, every *case of* lending at interest, every sale, every purchase without fraud,¹ of their own peculiar property, is forfeited to either party, to the amount of the honor-price of such as are entitled to make contracts. Each of the two parties has *power to give* refection *and* feast according to their respective dignity.

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Every loan is forfeited, i.e. answering another. Lending at interest, i.e. for another thing it is given, i.e. out. Every sale, i.e. out. Every purchase, i.e. outside. Without fraud, i.e. every thing which one of them takes from the other without fraud. Of their *own* peculiar property, i.e. of their own proper possessions, i.e. of their share of the increase or service, or two-thirds of the gathering of the house. To the amount of the honor-price, i.e. to the amount of the honor-price of such as are entitled to make contracts, i.e. of the four women that have the right.² Refection, i.e. what should be given as refreshment in the day. Feast, i.e. what it is right for them to serve in the night to visiting parties. Each of the two parties, i.e. each of the two parties according to their respective nobleness.

^aIr. *Lawful*
wives.

The woman of equal rank, and the first wife with sons and without sons, and the adulteress with sons, these four women may give their own honor-price of excess in presence of their husbands, and in their absence, in loan and in lending at interest, in bargains and in contracts; and they receive things committed to their charge; and they give two-thirds of their own honor-price whether in presence of or in the absence of their husbands, of their half 'tinol'-marriage collection; and they may give all their excess of fortune³ to ransom their friends from fetters or chains; they may give half their 'tinol'-marriage collection until it comes down to great poverty or extreme want, and they may go security to the amount of their honor-price in presence of their husbands, and to the third of their honor-price in their absence, and their good contracts are binding, and their bad contracts are dissolved.

The adulteress without sons shall not give in the absence of the *man anything* but a hook³ and a distaff and *such* implements. She shall not give in his presence *anything* but what her partner shall order. She may give her excess of fortune to ransom her friends, and the sixth of half her 'tinol'-marriage collection; and she may go security to *the amount of* the third of her honor-price, if she has separate property, in the presence of her partner,

² *Excess of fortune.* Excess of their fortune over that of the husband.

³ *A hook.* 'cromán,' a hook for cutting ivy. O'D. 502.

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ιραντοίλir ιναίγiό α ηir, ocur ni teit α necnairc ηri ni; ocur ιr ταχimechta α ρόδαr ocur α dochar; ocur ni teit ri ac̃t po na ceiteopa curu, .i. imbi α cur, ηeic mbo ocur cepach, bió ocur etair. Ac̃ur do beir cãc ben α coitcheitour na haircaide ηilit irin cin, dia chairdaib doinaib cãca bliatna, ocur comat dia ηuitir; .i. r̃c̃repall do beir ben mbitodotais; ηri r̃c̃ripaill do beir ben cãca oγair̃ech; ben cãca boair̃ech cu ruce daip̃t; do beir ben cãc air̃ech itir da air̃is, aγ̃ letloige bo; bo innlaeγ̃ do beir ben air̃ach deia; oc̃t r̃c̃ripaill dec do beir ben air̃ech tuire; uing̃e do beir ben cãc air̃ac̃ o ηuitiur̃ co ruice ηiγ̃. Teopa uing̃e do beir ben cach ηiγ̃ ocur cach ηriug̃ac̃ ocur cach ηilit.

Foruit̃ther boair̃is an aile, ni pothait̃ter iarum co iar ñde ηreire; foruit̃ether α ηλαit̃h ocur α eclap̃ raderin cechtar dalina, ocur α cair̃de ocur α chorloint̃he.

Foruit̃ether, .i. poraig̃iό in boair̃e in mboair̃is aile. Ni pothait̃ter, .i. nocon põtaigeann ηe nech aile iarum por̃ daip̃u co hãile na ηreiri, .i. poer̃am in bo air̃ech in ηreiri. Foruit̃ether α ηλαit̃h, .i. uair̃ noco gabann ηreim poer̃am neich aile ηuip̃ar̃de ar̃ α mañc̃aib, ocur ηeib̃io ηreim α r̃aer̃am̃rom ηe nech co ruice α leath, Cecht̃ar da lina, .i. ceacht̃ar de in da naim̃at̃ r̃ain. Cair̃de, .i. claemcluma. Ac̃ chorloint̃he, .i. ηial̃ura.

Lanamnur mna por̃ ηer̃thinucur, ιr cor̃ α cor̃ in ηir̃ ηech in mbein; acht̃ ηeic etais ocur bió, ocur ηec do ocur ceap̃ech, mãd ben up̃nãd̃ma na be cetmunt̃ter.

Lanamnur, .i. ben bir̃ α nob̃igeo lanamñar̃ por̃ in t̃incur̃ r̃ear̃da. ιr cor̃ α cor̃ in ηir̃, .i. ιr cunñuac̃ cunñuac̃ in ηir̃ riñ r̃ẽc̃ in mna, .i. in ãoal̃rach can macu. Acht̃ ηeic, .i. ũeirm̃ĩrẽcht̃ ar̃ na h̃ũil̃io dochor̃aib̃ r̃otec̃ar̃ r̃ain. Den up̃nãd̃ma, .i. ãoal̃rach cin macu mõro.

Mãd be cetmunt̃er̃ara tech̃ta, comait̃h ocur com-

¹ The book called ‘Cin.’ Vide note 1, p. 354.

but she may not go *security* for anything in his absence; and her good contracts and her bad contracts are *alike* dissolved; and she shall impugn only the four contracts, i.e. in which she has part, *viz.*, the sale of cows and sheep, of food and raiment. And every woman in general may give the presents which are *mentioned* in the book called 'Cin,' to her poor friends every year, so that they be out of her own separate property; i.e. the wife of a man of the lowest rank gives one 'screpall'; the wife of every 'ogaire'-chief gives three 'screpalls'; the wife of every 'bo-aire'-chief *may give presents* as far as *the value* of a 'dairt'-heifer; the wife of every 'aire-itir-dairigh'-chief, a calf of the value of half a cow; the wife of every 'aire-desa'-chief gives an in-calf cow; the wife of every 'aire-tuise'-chief gives eight 'screpalls'; the wife of every 'aire'-chief from that up to a king gives an ounce. The wife of every king gives three ounces, as does the wife of every Brewy, and of every poet.

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One 'bo-aire' chief entertains another, *but* he does not entertain again till three days *have elapsed*; either of the two parties entertains his *own* chief and church, and his friends and relatives.

One 'bo-aire'-chief entertains *another*, i.e. one 'bo-aire'-chief gives refecation to another. He does not entertain *again*, i.e. he does not entertain another person afterwards at a party till after three days, i.e. the protection of the 'bo-aire'-chief is three days. Entertains his *own* chief and church, i.e. for the protection of another person does not take hold along with them upon their tenants of ecclesiastical lands, but their protection takes hold with *another* person as far as one-half. Either of the parties, i.e. either of the two. His friends, i.e. his allies. His relatives, i.e. his kindred.

In the connexion of a woman upon the property of a man, the contract of the man is good without the *consent of the* woman; except *as regards* the sale of clothes and food, and the sale of cows and sheep, if she be a contracted woman who is not a first wife.

Connexion, i.e. a woman who is subject to the law of connexion upon the property of the man. The contract of the man is good, i.e. the contract of that man is a *good* contract without *the consent of* the woman, i.e. the adúlteress without sons. Except *as regards* the sale, i.e. this is an example of all bad contracts which are impugned. A contracted woman, i.e. this is an adúlteress without sons.

If she be a woman of first lawful marriage, of equal

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ceniuil—rech ír comceniuil cach co maith—po ruarraidhe
α cupu uile mac baith, ar níraid oile por diubirt na
posuiriu; conda tathbongat α meic.

Mac be cetmunterara, .i. mac bean bur cetmuinter uair co
oligthech. Comaith, .i. a tothéur, .i. im trian tinol techta. Com-
ceniuil, .i. commait α cine, .i. camraer. Sech ír comceniuil, .i.
reichim no inoraigim cunao amail comcenoel doib o bur commait
α tothéur, .i. cenib camraer, .i. im trian tinol tnebhα. Po ruar-
raidhe, .i. comraiciraidhe α cuirraid uile mac innoiligtech iat.
Mac baith, .i. in be cuirgeria. Ar níraid oile, .i. uair noco
taurpenn oile in cunnarα innoiligtech o beir α ograire, .i.
dia mbe diubairt inoib. Conda tathbongat α meic, .i. co tathmiget
cú mac na be cuirgeria in cunnarα muna cumais fein α tathmich,
.i. α clanna no α naomanna no α raithα.

Mac coibde fri bein da raia, cú dia reuib faderin,
ír oile don cetmuinter in coibde rin, ma ogaio α mamu
techta α lanammar.

Mac coibde, .i. mac coibchi do beia fe do mna uile tar α cenn.
Cú dia reuib faderin, .i. ci dia reuib buoin in fir in coibchi. Ír
oile don cetmuinter, .i. los nenech ocu coibde oir o fir, ocu los
nenech on aoltraige, ocu in coibde do raia oí, ocu coibde fri α o fir
dia nana hi fur, ar ír posal eirpcaireach. Ma ogaio α mamu
.i. mac comlanais α gneim co oligtheach ír in lanammar, .i. ni
hime tucad bean tar α ceno in innoilgeo do denam.

¹ For the purpose. The husband did not mean to cheat his wife by bringing
the other woman into the house. He wishes to pay such fines to his wife as the
law should impose.

In O'D. 306, the following remark is added:—Ma po fir in bean tugad
ann cunad ar ceann mna tugad hi, coibche ocu einiuelunn o fir oí, ocu
einiuelunn on mna tucad ann, ocu eirpma na coibde uatib da reuib
puroilri fein do oile tugad don mna tar α nreachtad ceann α uatgur

property and equal family—she who is of equal <sup>‘CAIN LA-
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NEXIONS.</sup> property is of equal family—she can disturb all his *(the man's)* contracts if they be ill-advised, for legality cannot attach to fraud which is opposed; her sons may dissolve them.

If she be a woman of first lawful marriage, i.e. if she be a woman who is a first wife, noble and lawful. Of equal property, i.e. as to wealth, i.e. as to the third of the lawful gathering. Equal family, i.e. her family being equally good, i.e. equally noble. Of equal family, i.e. I hold or advance that they are, as it were, of equal family, if their wealth be equally good, i.e. as to one-third of the gathering of the house, i.e. though there are not *in reality* equally noble. She can disturb, i.e. she can dissolve all his *(the man's)* contracts if they be unlawful. If they be ill-advised, i.e. the woman of equal rank *can do so*. For legality cannot attach to *fraud*, i.e. for the legality of the unlawful contract cannot stand *good* when it is opposed, i.e. when there is fraud in it. Her sons may dissolve it, i.e. the sons of the woman of equal rank dissolve the contracts if she cannot dissolve them herself, i.e. his agreements, compacts, or securities.

If he gives a ‘coibche’-marriage present to a woman, though of his own seds, that present is forfeited to the first wife, if she has fully performed her duties during the connexion.

If *he gives* a ‘coibche’-marriage present, i.e. if he gives a present to another woman, in her place. Though of his own ‘seds,’ i.e. though the marriage present be *given out* of the man's own ‘seds.’ Is forfeited to the first wife, i.e. honor-price and the marriage-present are due to her from the man, and honor-price from the adúlteress, and the marriage-present which was given to her; and an *additional* sum is due to her from the man, if she remain with him, for it (*i.e. what he has done*) is a cause of separation. If she has fully performed her duties *during the connexion*, i.e. if she has legally completed her lien in the connexion, i.e. the woman was not brought in in her place for the purpose¹ of committing illegality.

ἡνικαὶ ὁ ἀνὴρ ἀγάγετο τὴν γυναῖκα αὐτοῦ καὶ ἔδωκεν αὐτῇ τὸν ὄψωνον, ὁ ἄνθρωπος
οὗτος ἔδωκε τὸν ὄψωνον τῇ γυναίκα, καὶ ἡ γυναῖκα οὗτος ἔδωκε τὸν ὄψωνον.

“If the woman who was brought in on this occasion knew that it was in the place of *another* woman she was brought, the husband shall pay the marriage-present and honor-price to the latter, and the woman who was brought in shall pay her honor-price; and a proportion equal to the marriage present shall be forfeited out of their own proper ‘seds’ to the woman in whose place she (*the new woman*) came, by right of the expulsion if she went away; and the marriage present which she brought shall be returned without suing, and if her suit be evaded, double shall be paid *after the evasion*.”

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O'D. 306.

Ír riachach cach adaltrach do teit for cen^o cet-
muinntire; arphen log nenech na cetmuinntire.

[.1. Ccait pech oga ar ga^o mnai tet ar adaltrur for ceann
a fir budein, .1. co per eile.

Arreanur log neiniuch na cet muinntire, .i. ír uaf eirni-
ther dāa enecclann ann dā cet per budein, .i. teora coibde beiriur in
cetmuinntir fo, in coibde do rat in per dī ar tur, ocuf in coibde ru^o in
adultruch, ocuf log einiuch on adultruch, ocuf coibde on fiur o tucad
aridiri, cumu^o tri coibde ramliu^o, ocuf enecclann.]

Marā cutruma coibde na mna tucad ann, ocuf coibche a
mna fein, .i. na cetmuinntire, íra dīlri na coibde dīri, ocuf
enecclann on mnai tucad ina ceann, ocuf enecclann on fir.
Ma^ora luga coibde na mna thucad ann, fuillead in fear rīa
co raib cutrumur a coibde rī ann, ocuf enecclann o cechtar de
for. Marā mo coibde na mna thucad ann, bīo a himarcraro
accirum.

Cetmuinntir co macaib, ocuf cetmuinntir cen macu, ocuf
adaltrach co macaib, ocuf be cuitcherirā, fīr log i nenech
tiadait a rīadnairē a fear aitiurur, ocuf fīr trian loi^oge enach
a per tiaga^oit ina necnairc, ocuf ír re dā trian loi^oge i nenech
rom in rāin; ocuf do be^orat log a nenach in oin ocuf a nairlicu^o,
ocuf a cunorad do forcraro a tocurā cīo a nairgīo cīo a nec-
nairc a per. Nī tabrat imorpo adt trian loi^oge enech a per
in oin, ocuf a nairlicu^o, ocuf a cunorad, muna be forcraro
tothcura accaib, ocuf do be^orat dno co ruice ro^ocor no an^ogbocht,
do cīo a cārat a glar no rīabrat.

Ma^o adaltrach cen macu imorpo, ír fīr trian loi^ogi enech a
fir teit a neitirur ina rīadnairē, ocuf ír fīr dā trian in trian
rīn ina necnairc; no nī teit i neitirur fīr nī etir ina ecnairc;
ocuf do beir dā trian loi^oge a hinech fein i noin ocuf a nairlicu^o,

¹ Property, i.e. above that of the man.

Every aduress is fineable who goes in the place of a first wife; she shall pay the honor-price of the first wife.

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That is, there are full fines imposed upon every woman who goes in adultery in violation of her own husband, i.e. to another man.

She shall pay the honor-price of the first wife, i.e. she shall fairly pay for it to her own first husband, i.e. this first wife shall thus obtain three 'coibche'-marriage presents, *viz.*, the 'coibche'-marriage present which the husband gave her at first, and the 'coibche'-marriage present given to the aduress, and honor-price from the aduress, and a 'coibche'-marriage present from the man who took her next, making thus three 'coibche'-marriage presents, and honor-price.

If the 'coibche'-marriage present of the woman who was brought in, and the 'coibche'-marriage present of his own wife, i.e. the first wife, are equal, these 'coibche'-marriage presents are forfeited to her (*the wife*), and honor-price *is due to her* from the woman who was brought in her place, and honor-price *also* from the husband. If the 'coibche'-marriage present of the woman who was brought in is smaller, the husband shall add to it until it is equal to her 'coibche'-marriage present, and both of them owe her honor-price also. If the 'coibche'-marriage present of the woman brought in is greater, she (*the first wife*) shall get the excess.

A first wife with sons, and a first wife without sons, and an aduress with sons, and the woman of equal rank, may go security in the presence of their husbands to *the amount* of their honor-price, and to *the amount* of the third of the honor-price of their husbands they go security in their absence, and that is the two-thirds of their *own* honor-price; and they may give *the amount* of their honor-price in loan and lending at interest, and they may contract unto the excess of their property¹ either in the presence or in the absence of their husbands. They shall not, however, give but (*more than*) the third of the honor-price of their husbands in loan, and lending at interest, and contract, unless they have excess of property, and they shall give *of it* till it comes *down* to great want or extreme poverty, in behalf of their friends in fetters and chains.

But if she (*the woman*) be an aduress without sons, she may go security only to *the amount* of the third of the honor-price of her man in his presence, and to the two-thirds of that third in his absence; or *according to others* she may not go security for anything at all in his absence; and she gives two-thirds of her own honor-price

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— δια πορνεαὶδ ; no nī tabpāt nī itir i noim ocup a naiplicad aēt
nī porcongaip a čele ti, ocup aiccead pīge ; ocup 'do beip tho
peireō a pāncpūō do čino a capāt a glap no a plabpāt. Ocup
do bepāt imopru a porcpaēd uile do gill dia captoab a glap
no a plabpād, cio cetmuintera cio aōaltpāā.

Πορνωδοτερ in ben leth dam in pīr, amail ber miaō
chele na mna.

Πορνωδοτερ, .i. ποραιο in ben ap dampato leth daime in pīr, .i.
ip lečbiathao do beip doib maō co tappano, ocup nī puil comup por in
menn na apboi ti co po lāmbiathao daime a pīr. Amail ber miaō,
.i. amail ber aipmiciu no uairiatiu pīr na mna.

Γιοβε tomup po tīpet na dama, da peib in pep ann, ip lān dam ;
mna paib ip leth dam ; no tho cena, maī co tomup in pīr
tāngadap na dama, ge beth gin co be in pep ann, ip lān dam ;
maī po tomup na mna, ge beth gin co be in ben ann, ip leth dam.

Μαο ben boaipech poruoihtep ocaipiz ; maō ben
aipech dera, poruoihtep boaiipiz ; maō ben aipech
tuiri, poruoihtep aipiz nōdēra ; maō ben aipiz aipō,
poruoihtep aipiz tuiri ; maō ben aipech porgill, porui-
oihtep aipiz apō.

Μαο ben boaipech, .i. oip don ocaipech ip pep cu mna in
boaipech ip pep da porpāō ti por dampato. Maō ben aipech
dēra, .i. tpuip por leōoim in aipeō dēra. Aipech tuiri, .i. ap in
aipe tuiri. Πορνωδοτερ, .i. cēpup ap leō oim in aipech tuiri.
Ben aipiz aipō, .i. ap in aipiz nairo. Aipiz tuiri, .i. ap in aipiz
tuiri, .i. cuicēp. Aipech porgill, .i. ap in aipiz nairo pepup
leōoim in aipech porgill ip tūpe.

Cach pothuguo co hīaptoige iap lāme othpupa
cuile iap cāmbiathao. Biathao cen aipain neich cen

in loan, and in lending at interest, of her excess of property ; or, *according to others*, she may not give anything in loan and in lending at interest except what her partner orders her, and implements of weaving ; and she may give the sixth part of her own property for the sake of her friends *to ransom them* from fetters or chains. And they all, indeed, whether first wives or adultresses, may give all their excess of property as a pledge *to ransom* their friends from fetters or chains.

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The woman may entertain half *the number of* the company of the man, according to the dignity of the husband of the woman.

Entertain, i.e. the woman entertains at a party half the number which the man *entertains*, i.e. it is half food she gives them if with condiment, and she cannot get butter or corn until the man's parties are fully fed. According to the dignity, i.e. according to the respectability or nobility of the woman's husband.

Upon whatever invitation^a the parties come, if the man be present, <sup>* Ir. Mea-
sure.</sup> it is full company ; if he is not, it is half company ; or else if the parties have come upon the invitation^a of the man, whether the man be or be not present, it is full company ; if upon the invitation^a of the woman, whether the woman be or be not present, it is half company.

If she is the wife of a 'bo-aire'-chief she may entertain an 'og-aire'-chief ; if the wife of an 'aire-desa'-chief, she may entertain a 'bo-aire'-chief ; if the wife of an 'aire-tuisi'-chief, she may entertain an 'aire-desa'-chief ; if the wife of an 'aire-ard'-chief, she may entertain an 'aire-tuisi'-chief ; if the wife of an 'aire-forgaill'-chief, she may entertain an 'aire-ard'-chief.

If she be the wife of a 'bo-aire'-chief, i.e. the best 'og-aire'-chief has two persons *when he comes on a coshering visit* to the wife of the best 'bo-aire'-chief to entertain them at a party. If the wife of an 'aire-desa'-chief, i.e. three persons constitute the half company of the 'aire-desa'-chief. Of an 'aire-tuisi'-chief, i.e. on the 'aire-tuisi'-chief. May entertain, i.e. four persons are the half company of the 'aire-tuisi'-chief. The wife of an 'aire-ard'-chief, i.e. on the 'aire-ard'-chief. An 'aire-tuisi'-chief, i.e. on the 'aire-tuisi'-chief, i.e. five men. Of an 'aire-forgaill'-chief, i.e. on the 'aire-ard'-chief six persons *constitute* the half party of the lowest 'aire-forgaill'-chief.

He who supports the last survivor of a family shall have his kitchen supplied after he has entertained

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ῥαϊμ techta. Ní fuibén enecclanḁ arain ṽar ῥαϊμ techta, ar ní heitech ḁo neoch maḁo ῥαϊμ techta ciarṽo.

Cach pothuḡuḁ, .i. ipi reo a ṽoiriṽin uair ḁo bepar ḁon ti poṽaiḁer na ṽama ṽa nḁiḁḁaḁ iarium, curub iarium lan a éuile iar mbiataḁ neic éiri co taitnemacé, .i. ipi aṽa poiriṽeo uair ḁo bepar ḁon cac ḁo beir in poṽuḡuḁ ṽia iariumṽiḁi, curub lan a éuile iar canbiataḁ neic éiri. Biataḁ cen airain, .i. biataḁ na ṽaiḁe ṽlegar ṽib can neé ḁo ṽul uaṽaib ar ain por ain can biaḁ. Cen ṽaϊm techta, .i. can a ṽaϊm ṽligéḡ aice buṽein. Ní fuibén, .i. uair noco tabair poṽuḁaḁo por neé im a enecclainḁ ce po ṽeṽraḁ neé uaḁ ar ain por ain can biaḁ, maḁ amlaḁo beir, ocuṽ a ṽaϊm ṽligeo aice buṽein.

Maḁaḁaḁ, ocuṽ biḁ imṽocaḁ leo, noé biḁ commaithi a poḁaḁo ppi himpcaḁaḁo ṽoib, poḁbi ṽlan paerṽoimile caich ṽia paḁliu cen ecubur, co comṽinucur ppi himpcaḁaḁo arnam ṽerḁara. Cach naithḡin ṽeib po ḁronḁar, co nar, co loṽ, co nḡerṽ, co fuḁliuḁ. Cach ṽaiḁe, cach eḡean, cach poḁal cen loḡuḁ, cen aithce, cen ṽiḡiḁe, ip cona ṽiri.

Maḁaḁaḁ, .i. maḁaḁaḁo ḁo neṽ in lanamain. Biḁo imṽocaḁ leo, .i. curub emṽoḡaḁe leoḁaḁaḁo ḁo ṽenum. Noé biḁ commaithi, .i. ocuṽ curub comat a paire in ní caith ḁo éomloḡéib. Saerṽoimile, .i. ḁo biḁo ocuṽ ṽeacé. Caich ṽia paḁliu, .i. in ní ḁo beir cac ṽib ṽa éuile. Cen ecubur, .i. cen ṽroḁcubur ḡaite ḁo ṽenaḁi ṽoib im in ní biṽ ina comṽinucur no co nṽerḁat imṽear, .i. ṽia mbe ecubur, ip aithḡin co ṽroṽcuḁo. Arnam ṽerḁara, .i. co na pa ṽerḁoibḡia neé ṽib a éuile. Cach naithḡin, .i. cac naithḡin ṽic pon ṽeḁur po caithé hi, ocuṽ aṽṽuḡuḡ icce uil ann, no ip ḡaite no iparḡaḁo. Co nar, .i. na coḁlanḁ, .i. moṽbaṽar na ṽeṽ. Co loṽ, .i. na laḡ. Co nḡerṽ, .i. in laṽt ocuṽ in tuar. Co fuḁliuḁ, .i. in ṽiri, no in ṽiablaḁ. Cach ṽaiḁe, .i. ṽiḁeḁeḁ. Cach eḡean, .i. paṽaḡéti a paḁnaip. Cach

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him. He who is without his lawful company should be entertained without refusal. When the company is above the lawful number refusal does not lessen one's honor-price, for one should not refuse if the lawful company has arrived.

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He who supports, i.e. this is the noble relief which is given to the person who entertains the companies to shelter them, *viz.*, that his kitchen is filled afterwards, after he has pleasantly entertained one out of it, i.e. it is the noble relief which is given to the person who gives support to the last survivor of a family, that his kitchen is filled after he entertains one out of it. Entertained without refusal, i.e. to entertain the company due of them without suffering one to go away fasting without food. Without his lawful company, i.e. who has not his own lawful company. Does not lessen, i.e. for it does not lower one as to his honor-price even though *he should suffer* one to go away from him fasting without food, if it be so, he himself retaining his lawful company.

If they (*a man and a woman*) separate, and that by mutual consent, and that their property be equally good at their separation, what they have consumed of each other's *property* without dishonesty is remitted, *together* with equal property at separation that there may be no fraud. Restitution *is to be given* for every thing as it was *when* consumed, with growth, increase, milk, and addition. Every thing stolen,^a every *thing taken by* Ir. Theft. violence, every thing carried away without leave, permission, or entreaty, *is to be returned* with 'dire'-fine.

If they separate, i.e. if the married couple separate. By mutual consent, i.e. when it is their choice to make a separation. Equally good, i.e. and that what they have consumed of the set off, be equally valuable. What they have consumed, i.e. of food and raiment. Of each other's *property*, i.e. what each of them gives the other. Without dishonesty, i.e. without the bad intention of stealing what is common property until they separate, i.e. should they have had the evil design, there is restitution with fasting *to be made*. That there may be no fraud, i.e. that one of them may not defraud the other. Restitution, i.e. every restitution is to be paid in as good a condition as the thing that was used; and there is condition of payment in the case, or (*i.e. otherwise*) it is theft or violation. With growth, i.e. the growth of the *original* bodies, i.e. the increase of the 'seds.' With increase, i.e. the calves. Milk i.e. the milk and the manure. With addition, i.e. the 'dire'-fine, or the double. Every thing stolen, i.e. *every act* of concealment. Every *thing taken* by violence, i.e. *every act* of violence in the presence of the owner. Every

‘GAIN LA-POCAL, .i. tpenntaíde, cío a naidíó cío a necmaí, .i. díchmaíre. Cen log-
NAMHNA,’ uó, .i. in tí o pucáto aó, .i. on mnaí. Cen aítche, .i. éomane do-
OR LAW OF Cen dígíde, .i. cen deoguíde o briaétraib. Ír co ná dírí, .i. ír co
SOCIAL ná lan díre, .i. los nenech aíteir no íctáir cáé ní bepaíre tpe épnal
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Leth lamtopaíó do mnaí, amail ír rubraó ír in
lanamnar táirech ír rubartmar; leithtrian a mblich,
cor ná dób cobdaílaib táirechaib ítir tír, ocuf bu, ocuf
letríraib, ocuf fognamadaib.

Leth lamtopaíó, .i. a leat don mnaí in topaíó do dena oc lam
o bíaí ina etach uplun, no ma laíhtopaíó tpmíte. Amail ír rubraó,
.i. amail no paíotremar romaino. Rubartmar, .i. no paíotremar
romainn. Leithtrian, .i. leat tpmí in lácta, seíreo loineó do mar-
dentáí, ocuf mardentáí cáé ben a leat ré lacht. Cor ná dób
cobdaílaib, .i. cur in coibdeilugáó táireé aórubrumar romainn.
Ítir tír, ocuf bu, .i. in éuit ír coir do cáéa in dób rín. Fognama-
daib, .i. in éuit ír coir do upgnam.

Nomáó a in dúb, ocuf a arbm, ocuf a raíl maó
mardentáí; ír miach dí cacha mír ara bí co ceand
mbliadna, .i. cur ná beallanaib bída nepom; ar mu bíad
í naímrí ímréarta írcaraó.

Al in dúb, .i. a hinnáó in rín. Ocuf a arbm, .i. ocuf becdentáí
írí annraídeic. Al raíl, .i. muc innuóá coiténíno nomáí, ocuf meátaí
pór in annur tír. Ír miach, .i. miac ríge no miach míren, .i. ír miac
dí cío be mí cu pócenn ná bliadna a rín bíó etarírcaraó eturpéu miac,
ar aúeo no ar nomáó rín; no cumáó miac rígeó do ban deoraíó
araí; no ír miach co no seíreo, ocuf ír rín íreón. Cur ná beallanaib,
.i. uair ír ann bu díg ímréar dób. Bída nepom, .i. rín bír
a comfocuf dób. Í naímrí ímréarta, .i. ír in ré rútaín a netar-
írcaraó a nímrcar.

Lanamnar rín pór banrídnacuf; íra rúdíu teit per
í nuidíu mna, ocuf ben a nuidíu rín. Maó per fognama,

thing carried away i.e. every secret carrying off by force, whether in the presence or in the absence of the owner, i.e. without asking. Without leave, i.e. without asking leave of the person from whom it was taken, i.e. of the woman. Permission, i.e. being asked by him. Without entreaty, i.e. without proper entreaty in words. To be returned with 'dire'-fine, i.e. it is with full 'dire'-fine, i.e. honor-price, every thing that is carried off in any of these ways shall be returned or paid.

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Half the produce of the hand *is due* to a woman, as has been said in *the case of* the connexion which we first mentioned; *also* half one-third of the milk, with the two first divisions between *the owners of* land, and kine, and vessels, and *those who perform services*.

Half the produce of the hand, i.e. half the produce effected by the hand *is due* to the woman when it is prepared cloth or manufactured thread. As has been said, i.e. as we have said before. Which we *first* mentioned, i.e. which we have mentioned before. Half one-third, i.e. half one-third of the milk, or one-sixth of the produce of the churn, *is due* to the great worker, and every *Ir. Churn-woman* is a great worker with respect to milk. With the two divisions, i.e. *stick*, with the first distribution which we have said before. Between *the owners of* land, and kine, i.e. the share which is by right due to each of these. *Services*, i.e. the share which is by right due to *those who perform service (work or attendance)*.

One-ninth of his (*the man's*) increase, and of his corn, and of his bacon *is due to the woman* if she be a great worker; she has a sack every month she is *with him* to the end of a year, i.e. to the next May-days, for this is mostly the time in which they make their separation.

Of his increase, i.e. of the increase of *the cattle* of the man. And of his corn, i.e. and she (*the woman*) is a small worker in this particular. Of his bacon, i.e. of the general increase of swine she has one-ninth, and what is in the same manner fattened on the land. A sack, i.e. a sack for the way or a sack of partition, i.e. she has a sack for every month to the end of the year in which the separation takes place between them, and this is as the sixth or the ninth; or it is a sack for the way which is due to a woman-stranger; or it is a sack *that is given every month* until it comes to one-sixth, and this is the truth. To the next May-days, i.e. because they are then likely to separate. The next, i.e. that are the very next to them. The time in which they make their separation, i.e., it is at that particular time they make their separation.

As to the connexion of a man *supported* on the property of the woman; in this *case* the man goes in the place of the woman, and the woman in the place of the man. If he be a man of service, he shall have the ninth

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ir nomad a harbim don fir, ocur don rail, mað ceant comairle cuinðrig muintire fpi comairle comniht.

lanamnar fir, .i. in per bir i noliðeð lanamnair for in tincur mbanad. Ipa fuioiu, .i. ir don iadairin teit in pear ir in òligeo a roib in ben òuar. I nuioiu, .i. i ninao. Den a nuioiu fir, .i. in ben ir in òligeo a roibe in per curparra. Mað per rognama, .i. mað he in per do ne in rognam imbið for bantincar. A harbim .i. ocur arada air uil aice ocur leð friénama, ocur nomad do ar cað ni oib cona da nomad, ocur teit mo co ruice a leth. Don rail, .i. ar liarrad, .i. muc innua coiteinne nomad rin. Mað ceant comairle, .i. mað cenn bur comut mar comairle a cainoiru na muintire fpi in caem airle taíneamad rin, .i. im aradain ocur im leð friénam na trebair aice in uair ata rain.

.i. Aradu ocur leth friénad na trebair fuil eice ann. Ocur trian trin riðgnama ruc per aicis ro bai ac an mnai ina aicis ac denam friðgnama, ocur da nomad eiceium ad ; ocur teit ben ina gnimrad, su mberinn nomad oib uad. Ocur ni leirium tir na ril ad rin.

Per for ban tironacar nomad a hinuio, ocur a harbim, ocur a rail beper dia noena gnimrad, ocur ir ceant comairle. Seótmoð trin friðgnama do ar gnimrad. Manab ceann comairle reótmað ocur trian in reótmað do. Mað ceann comairle nama, cen gnimrad ocur airra, .vii. mað ocur trian in reótmað. Nomad in fuiloi dia no tech. Mað ono cen gnimrad, ocur ni ba ceann comairle, leth in rehtmaiz ar gabail lama nama.

Ocur na ceitheora cota beper in ben a holaind in fir, ir nomad cað cota oib rin beper in per on mnai, ocur nomad reirio lamirad do a laet. Berio na cuic nomada ra cið ceann comairle gin cob cend.

Leth trian do blicht conpozlaizther in tri; leth do letrai, a leth nail da trian a fuioiu don fir; nomad a lamtoraid fpi himrcarad doib. Mað imtucu doib rcarad ir amne a rcarad.

¹ *Without work.* The text appears to be defective here; cen gnimrad ocur da, is the reading of H. 2.15; but over the word da, a later hand has written air with a view to make airra, which is the reading of H. 3.17, col. 240. The meaning of the passage is very obscure.

part of her corn and of the bacon, if he be a head of counsel directing the family with strong advice.

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The connexion of a man, i.e. the man who is in the law of connexion upon the property of the woman. In this, i.e. in this particular case the man becomes subject to the law to which the woman was *subject* above. In the place, i.e. in the situation. The woman in the place of the man, i.e. the woman is subject to the law to which the man was *subject* hitherto. If he be a man of service, i.e. if it be the man who is supported upon the woman's property, who does the service. Of her corn, i.e. he is bound to do the ploughing and half the service, for each of which he is entitled to one-ninth, and it may be two-ninths, and he may participate in it to the extent of one-half. Of the bacon, i.e. for his herding, i.e. that ninth is of the general swine increase. If he be a head of counsel, i.e. if he be a head that is useful for *giving* advice in guiding the family with his gentle agreeable counsel, i.e. he has the ploughing and half the service of the husbandry *to attend to* when this is the case.

That is, he has the ploughing *utensils* and half the *amount due* for service of the husbandry in this case. And the third of one-third of the *amount due* for service was obtained by a workman whom the woman had *employed* against him to do service, and he had two-ninths then; and the woman participates in her own work, and so carries one of the ninths from him. In this case neither the land nor the seed is his.

A man *supported* upon the woman's property gets the ninth of her *cattle*-increase, and of her corn, and of her bacon, if he performs work, and is a head of counsel. One-seventh of a third of the *cattle*-increase is due to him for work. If he is not a head of counsel he gets a seventh and a third of the seventh. If he is a head of counsel only, without work¹ *he gets* a seventh and one third of a seventh. The ninth of the whole if in her house. If, however, he does not work, and is not a head of counsel, *he gets* half the seventh for 'hand seizure' alone.

And of the four shares which the woman obtains of the man's wool, it is one-ninth of each share of them *which* the man obtains from the woman, and one-ninth of the sixth of the produce of the churn^a goes to him as *his portion* of the milk. He gets these five-ninths whether he be a head of counsel or not a head of counsel.

^a Ir. Churn-stick.

Half one-third of the milk is divided into three *parts*; one-half is due to owners of the vessels, two-thirds of the other half to the man; one-ninth of the produce of her hand *to the woman* at their separation. If they choose to separate it is thus they separate.

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Λεθ τριαν, .i. λετ τριν in λαττα, ρειρεδ λαινοδα το μαρποντατο, ocuy μαρποντατο καδ ben uile α λειτ ρε λαετ. Conpogλαιγθερ, .i. ιρ cain ποδειλγθερ ειρεic α τρι πανναib cen cob acτ τρι. Λεθ το λερτραι, .i. λετ in ρειριτ αιλε το minλερτρα ocuy το μαρλερτρα. Α λεθ παιλλ, .i. α λετ αιλε, in αιλε dec αιλε. Τα τριαν, .i. τα τριαν ιρ in πασσαιριν ιριν αιλε dec τον ριρ, .i. οετματο ρανν dec ριρε, ocuy α τριαν το βυαδαιλλib, in ρειριτ ρανν τριχιατ. Νοματο α λαμποραio, .i. αμαil να ρυαιρ in ben αicepium nί ι ποερατ αετ in τα νοματο τον αρбуи, cona decpapaom ειcιpι αετ in τα νοματο; no cena ι bail ιτα τριαν αρ ειρεα αobул lom ban αιcοiγ ρο bi αicepium ινα αιγipium co ρuc νοματο uαιτηpium, ocuy τα νοματο ειccepι annpαιρε; ocuy ουλ ποpum ινα γνιμpατ co mβειpανн νοματο οib uαιthe. Ματ imтyca, .i. ματ emтoγaиde leo ρcapατ το denum. Ιρ amne α ρcapατ, .i. ιρ amλaiό ριρ ρcapατ.

.i. In bail ατα τριαν αρ ειρεα αobуlum, τα τριαν γνιμα ριρ αicepim, ocuy τεit in τα νοματαib οib, co mβειpenn in παpα νοματο, ocuy in τpεp νοματο αicepι τον τpиun cen ουλ ποpam ιно; uαιρ τpи νοματο бiρ ιpиn τpиun, ocuy in τα τριαν α γνιμα- pи τεit ρиun.

Ματ αιλε τα λινα βερ ανποлтаch, ιρ διλιρ cuiτ upγnuma in μιpοлтаch τον τοpοлтад. Ματ cetmuin- τεp, ιρ διλερ uile τον τι бiρ ινα mamaiб techταιb, πατ βειρ αραιλε cuiτ α τιp, να δυνατ cetθηp; acht ρcapαιτ αμαil conδpecat; in τα βειρ cach λαιρ curanaile, α μαpαthαρ de ιppeδ βepεp λαιρ ρpи himpcapατ, να αιthγin δια τοpατ muna μαpαthαρ; acht ιρ πεp το pαnαρ α hιnchiaib να mna ματ λε in τοthchur uile, inge ματ ποpοлтаchu in πεp ολδαp in ben, no ματ cαιдиu, no ματ ραιpe, no ματ айиmиdнeчу.

Ματ αιλε, .i. ματ nectap de in τα nαιματ ρиn βερ oμoepοлтад. Ιρ διλιρ cuiτ upγnuma, .i. διλιρ α cοταд ρpиcнаиha on αδaлtpaиz ινα cet ρogail λαιn. Ματ cetmuinτεp, .i. διλιρ α cοταд тpиe, ocuy δυнаio, ocuy ρpиcнама on cetmuinтиp ινα cet ρogail λαιn. Ιρ διλεp uile, .i. mишo uile. Ton τι бiρ ινα mamaiб techταιb, .i. τον τι бiρ ινα

Half one-third, i.e. half one-third of the milk, or one-sixth of the produce of the churn is due to a great worker, and every woman is a great worker with respect to milk. Is divided, i.e. it is fairly divided into three parts, but only three parts. One-half to the owners of vessels, i.e. half the sixth is due to the owners of small vessels and of large vessels. Of the other half-sixth, i.e. its other half, or the other one-twelfth. Two-thirds, i.e. two-thirds of the other twelfth is due to the man, i.e. that is the one-eighteenth, and one-third of it (*the other twelfth*) to the shepherds, i.e. one-thirty-sixth. One-ninth of the produce of her hand, i.e. as the woman did not get from him anything but two-ninths of the corn, so likewise he does not get anything from her except two-ninths; or else where she has against him one-third for woman's work of the rough carding until he took one-ninth from her, and then she had two-ninths; and he then goes into the calculation of his work and bears off another third from her. If they choose to separate, i.e. if they choose to make the separation. It is thus they separate, i.e. it is after this manner they separate.

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That is, where there is one-third due for rough combing, she has two-thirds of the work of the man, and he gets two-ninths of them, so that she has the second ninth, and the third ninth of the third, without his share going into it; for there are three-ninths in the third, and he goes into two-thirds of her work.

If either of the two parties be unqualified, the service of the unqualified party is forfeited to the qualified. If it be the case of a first wife, it (*the amount due for service*) is all forfeited to the person who is lawfully married to her, so that she does not obtain any share in the land, or in the original stock of cattle; but they separate as they met; as to whatever each has brought with him to the other, he carries off what lives of it at the time of the separation, or an equivalent of its produce if it is not living; but the man's share is estimated by the honor-price of the woman if all the property be hers, unless the man is more qualified than the woman, or more respectable, or more noble, or more venerable.

If either of the two, i.e. if either of these two parties be unqualified. The service is forfeited, i.e. her part of the service is forfeited by the adulteress for her first full crime. If it be the case of a first wife, i.e. her share of the land, and stock, and service is forfeited by the first wife for her first full crime. It is all forfeited, i.e. all the increase. To the person who is lawfully married

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moamud, no ina gheim dligteá, ír díleir na neide rin. Aché rcairait, .i. áé rcairad amail comraicit, .i. in bunad tuc le o tíg írreó beruip le i naimpír imreair, uair dá roóair a cuicig tigre, ocuf bunaid, ocuf friénama don inuio uairi don fir ina roóail. Dá beir eadh, .i. in ní do beir ead leir díb do cum a óeile. Al marathar de, .i. in ní mairip de. I rreó berer, .i. írreó berer leir in tan do níat imreair, .i. má ro ríat ná reoit tuc rí le amuig, má mairip a róla, a brie díre le, a brie díre u; no ono, aithgin aieí, .i. ocuf áéuagat ice uil ann, ocuf inuio ná rreó rucad ír in roóail ír iat do berair ír in cinait annrin; no ono, aithgin neid tuccraí le cio o chuaid amuig do brieit le dia cuic inuio S. D.

O'D. 308. [Cuthuma ná haithgína don chuic ro roich dinnud íreó beruip, munab ina cinuid. Inai bír ina dligedó berchur. Al trocuire inro; a etrocuire imurro, ní beir ní itir.]

Má a cinuid inai bír ina dligedó berchur, ocuf ní daim dligedó uime, ír cuthuma ná haithgína díe uad, ce beé innud ann cen co be.]

Aché ír rreó do rannar, .i. aá aé lium ann conadó tuálgur einig ná mna eirniéer enecclann don fir ír ann ro on, .i. ní dá cruio bunaid tucad don fir rreó áéuagat, ocuf aierer aice, ocuf in ní ro bui in bunad rucad uaithe a éabairt dí do inuio a cruio buioin, uair do rochair a cuicig bunaid uaithe don innuio, ocuf a cuicig tigre, ocuf friénama. In tothchur, .i. inuile. Má ro rroolachur, .i. in tothchur tigre ocuf inuile, .i. in innrucuf ocuf in iona. Má eairioi, .i. in innrucuf .i. a ngrao, .i. in leigero, no in ríligedó. Má rairre, .i. a ceneol. Má aiermionechur, .i. in ríitíh nairééa, .i. ír in gnao rann.

Lanamnar fir tathigthe cen targuo, cen upgnam; cuiced a lamtorad cuic in fir, .i. in chele rri himreairad díob, ariur enachruice dorum ríreir inrain, cia rorruarar ríra, íreó arriarar do de, ocuf aá a cuicre i ríide.

¹ Upon condition. In O'D. 308, nearly the same words occur: "In this case she gave a part of her original cattle to the man on condition, and they remain with him, and there was not as much of the increase of her own cattle as amounted to the value of the stock obtained from her to be given to her, for she forfeited her share of the increase, and of the land, and of the amount due for service."

to her, i.e. to the person who is joined to her or united to her in lawful bond, 'CAIN LANAMHNA,'¹ these things are forfeited. But they separate, i.e. but they part as they came together, i.e. the original stock which she brought with her from her house is what she carries off with her at the time of the separation, for her share of the land and original stock, and *the amount* of the increase of cattle due for service, and fell away from her to the man *in punishment* for her first full crime. What each has brought *with him*, i.e. the thing which the one brings with him to the other. What lives of it, i.e. the part which lives. He carries off, i.e. it is what he carries off with him when they make the separation, i.e. if the 'seds' which she brought with her be found, if her property *in cattle* be living, she carries them with her, she carries them off; or, *according to others, she gets* an equivalent of their produce, i.e. there is a stipulation for payment in this case, and the increase of the 'seds' which was forfeited for the crime goes to pay for the responsibility in this case; or, *according to others*, she gets restitution of the property which she brought with her on going away, out of her share of the increase.—S. D.

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She gets an equivalent of the restitution out of the part of the increase which should come to her, unless *it goes* in her responsibility.

If it does, the person who is legally wedded to him^a gets it. This is ^a Ir. *In his law.* the leniency of it; the severity is that she gets nothing at all.

If it be given to satisfy the responsibility of the person who is legally married to her,^a and that he does not yield law respecting it, ^a Ir. *In her law.* he must give an equivalent for the restitution, whether there be increase or not.

But the man's *share* is estimated, i.e. I make a condition that it is from the price of honor of the woman that the honor-price of the man is paid in this case, i.e. she had given a part of her original cattle here to the man upon condition,¹ and it remains with him, and there was not as much of the increase of her own cattle remaining to be given to her as was worth the cattle obtained from her, for she had forfeited her original share of the increase, and her share of the land, and of the *amount due* for service. The property, i.e. cattle. More qualified, i.e. with respect to property in land and cattle, i.e. *or* in worthiness and integrity. More respectable, i.e. as to worthiness, i.e. in dignity, i.e. in learning, or in poetry. More noble, i.e. of family. More venerable, i.e. for his splendour at the assembly, i.e. in that dignity.

As to the connexion of a frequenting man without acquired property, without service: the fifth of the produce of the hand is the share of the man, i.e. of the partner at their separation, for it is the price of blushing that is due to him for her then, if anyone has quarrelled with her (*i.e. violated or insulted her*), this is what he pays for it, and his (*the man's*) share is *included* in this.

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O'D. 309.

Sic.

Λανάμνάρ, .i. in ben cur á nátaigenn in fepi do denum lanamnuir
[F] ríá, in éarpréacé [.i. uríal uirne á tiz charuic], ocuf ní tabar feit
ar á uríal. .i. ben cuir ocuf uríatoma cunbeiteen tátaigéi in fipr
cuice, no carpréacé. Cen tarpuo, .i. amuicé. Cen urígnam, .i. tall,
.i. cen uarí poígnum in éuitiz friénama. Cuiceo á lamtorao, .i.
cuiceo in torao do ní dá lam írreo ata on carpréaigé don fipr in tan do
niat imreap, .i. cuiceo coa fipr óligéigé, no cuiceo caca rointhe no feicé
friénam; [cechraimé ar in lamtorao, .i. of dena á leé do neé,
á leé naill oho oia fipr fein, ocuf don fipr, ar ata tih ríano inthe etaríu
deirí in ceprame céctar the S. D.] Cuic in fipr, .i. in cuipuma no bíao do
o mnaí buoein do lamtorao, .i. cuiceo do on éarpréaigé. Arur enach-
ruice, .i. ar lan no ar tihian dooram iná éarpréaigé. Cía poiríuapara.
.i. cuibeo fipr fuaéctam fogla do neéar ríá. Íreo aríuríatari, .i. írreo
eipnítep do don fipr ní don éinaí, .i. cuiceo in feéctmaí, no oho ír tihian
fipr poia .f. o. Áta á éúitpe, .i. leé no céipuméa, .i. ata á cuicpí
ípin ní aóa aipín, uair do álla in céipraméu fíuil oipí á fogail laín
íurpum á neílaé in tpin fíuil dooram á fogail laín do denam ríarí.

Λανάμναρ αἰρίταν πορ ὑρίαι; cechruman á lamto-
raí do don fipr á ríuioiu; maí co cechraí do don fipr, con-
foglaí po cuic tihí ocuf urígnama ocuf bunaoí cechra
do cach bearaí.

¹ *To the man.* The MS. seems defective here.

² *The fourth.* The Irish of this clause, which is in brackets, is on the top margin of the 1st col. of the MS., H. 2.15, p. 59.

³ *From his own wife.* In O'D. 309, there is the following brief commentary on this article, which helps to lessen its obscurity:—

.i. In ben cur á nátaigunn in fepi do denum lanamnuir ríá, .i. bean
chuir ocuf uríatoma, conthe tinctaíthe in fipr cuicé; no in carpréach, .i.
uríal uirne á tiz charuic, ocuf ní tabuirí feoít ar á hupíal. In tainm-
rainne óligíur ben óligéacé do ealaí in fipr cuipumap á céipumun don
aipí, ocuf á cuiceoí don carpréaigé.

.i. iná tiz fein bíp in bean ío, ocuf íp ípum bean beop; cuiceo ar á
lamtoraoí, .i. cuiceo leéi á lamtoraoí do ar á lep do denum in aipíge
do ínep; ocuf íp co náitíin fein ío.

In coimpeit do denaíur íp áltarum, ocuf á cin íor in fepi; ocuf o mup
amaí íp comáltarum íor íne, ocuf coimic in cinuigé, oia mbeé í náitíin
in íoxuile.

Connexion of a frequenting man, i.e. the woman to whom a man 'CAIN LA-NAMHNA,' OR LAW OF SOCIAL CONNEXIONS. habitually comes to cohabit with her, or the 'carrthach'-woman, i.e. who is seduced in the house of a friend, and in whose case no 'seds' are given for the seduction, i.e. a woman of compact and covenant with cognizance of the man usually visiting her, or a 'carrthach'-woman. Without acquired property, i.e. outside. Without service, i.e. within, i.e. without the noble service, as far as his share of service. The fifth of the produce of the hand, i.e. the fifth of the produce which she produces with her hand is what is due of the 'carrthach'-woman to the man when they make the separation, i.e. the fifth part of the share of the lawful man, or the fifth of every division due to service; one-fourth out of the produce of the hand, i.e. when the half is performed by her, the other half by her own man, and for the man¹, for the land is divided into two parts between them after each gets the fourth.²—S. D. The share of the man, i.e. whatever be the share which he would get from his own wife³ of the produce of her hand, i.e. he gets the fifth of that from his 'carrthach'-woman. For it is the price of blushing, i.e. in full or to one-third due to him for his 'carrthach'-woman Has quarrelled with her, i.e. whatever real attack is made upon her to injure her. This is what he pays, i.e. this is what is paid by the man to her for the crime, i.e. the fifth of the seventh, or the third by a man of blood.⁴—S.D. His share is *in t his*, i.e. half the fourth, i.e. his share is *included* in this particular, for the fourth which is due to her for a full injury done to him is taken off in consideration of the third which is due to him for a full injury done to her.

As to the connexion of support to be at the man's will ; the fourth of the produce of her hand is due to the man in this case ; if he has cattle upon land, they divide according to the share of the land and service and original stock of cattle possessed by each.

"The woman whom the man habitually visits to cohabit with her, is a woman of compact and covenant, with the cognizance that the man visits her; or a 'carrthach'-woman i.e. who was seduced in the house of a friend, and in whose case no 'seds' are given for the seduction. The fourth part of proportion of the cattle of the man to which the lawful wife is entitled is the complement due to the 'airech'-woman, and the fifth to the 'carrthach'-woman.

"That is, this woman lives in her own house, and she is a chief woman moreover; she is entitled to one-fifth of the produce of her hand, i.e. one-fifth of half her hand produce is always due to the 'airech'-woman for doing her duty; and this too is with cognizance.

"The offspring of this cohabitation (*i.e. the case of abduction*), shall be fostered, and the man shall bear its liabilities; and from a month out the tribe shall equally sustain the fosterage, and equally pay for the liabilities, if they had been cognizant of the abduction."

⁴ A man of blood. If the word Πολα in the original be taken as a clerical error for Πογλα, the meaning would be, "a third for real injury."

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Λαναμνναρ αιριταν, .i. forrech, .i. in ben bir ac in fir a noliḡeō
 λαναμνναρ, αιριτηιερ αρ α υραιλ, in αιρις, ocyr peoit bepari for α υραιλ.
 Cethrumaη α λامتورαιο, .i. cethruma eota fir noliḡiς, no ceth-
 ruma caā raiinne ro peiō friēnam, .i. in cutruma uil do α λامتورαιο
 α mna buōein α cethruma do on ēarpetaiḡ no αιρις, .i. in tainmraiinne
 noliḡer ben noliḡeō do helatann in fir, cutrumuy α cētramtēan doη
 αιρις, ocyr α ēuiceō doη ēarpetaiḡ. Α ριιου, .i. on αιρις. Μας
 co cethraiβ, .i. mas ροιβ cēra aice for in τιρ, .i. do tabairt αρ
 υραιλ anunt. Conpoglat, .i. ιρ cain ποθειλιγτ eturru he pon cuit
 oleḡait doη ferann. Υρḡnam, .i. in cuit oleḡait doη uaral poḡnam.
 Ουηαιο cethra, .i. in cuit oleḡait na cēra bunao. Do cach be-
 ρααι, .i. ocyr pumben ιρι anpaitō.

In cutruma biar doη fir do λامتα α pum mna, co raba α
 cuiceō ber do do λامتα α captaiḡe, no α cethruma do λامتα α
 αιρις, ocyr nocoη uil ni do do λامتα α doḡmaine, nach α be
 nimruma, uair αρ α υραιλ pein bir α ēarpetach ocyr α αιrach,
 ocyr noco neaō bir α doḡmaine nach α be nimruma. Ipeo po
 depa conao mo do λامتα α αιρις do inna do λامتα α ēarpetaiḡ,
 peoit do beir αρ υραιλ na haiḡiḡe, ocyr noco tabair αρ υραιλ
 na captaiḡe; ocyr leitheineclanna α achar α coibci caā mna
 oib raiη, ocyr ιρ cutruma bepeḡom do oibao ocyr do cinaio
 caā mna oibraiη, ocyr do oibao ocyr do cinaio α pum mna
 cenmoā α be nimolir; ocyr noco berenn ni do oibao raiḡe
 na do chinaio, uair atα nech aili po cinaio; ocyr α atitir α
 pum mna ocyr α fine atα cach ben oib raiη aice cenmoā in
 be nimolir; ocyr α atitir α fir atα raiḡe.

Λαναμνuy poxail ocyr λαναμνναρ taiḡe, ni techtao
 ni do chomraiηd fri himpcaiao do beoail na marbail,
 acht compeḡta. Cia do pata ben bir for poxal αρ α fine
 ni doia chele poḡacofle, ιρ inḡilir o fine, ocyr ιρ am-

¹ *The fifth to the 'carriach'-woman.* The Irish of this clause is taken from the margin of the MS.

Connexion of support, i.e. the woman who is with a man subject to the law of connexion, and who is supported to be at his will, i.e. the 'airech'-woman, and 'seds' are given for his order (*to have her at his will*). The fourth of the produce of her hand, i.e. the fourth of the share of a lawful husband, or the fourth of every division due to those who perform service, i.e. the fourth of the share which he gets of the produce of the hand of his own wife is due to him from the 'carrthach'-woman, or the 'airech'-woman, i.e. the fourth of that part of the produce of the man's art to which his lawful wife is entitled, is what is due to the 'airech'-woman, and the fifth to the 'carrthach'-woman.¹ In this case, i.e. from the 'airech'-woman. If he has cattle, i.e. if he has cattle on the land, i.e. to give them out for command (*for having at his command*). They divide, i.e. they fairly divide it (*the produce*) between them, according to the share of the land they are respectively entitled to. Service, i.e. the share of the noble service to which they are entitled. Original stock of cattle, i.e. the share to which the original cattle are entitled. Possessed by each, i.e. and she is a principal woman in this case.

Whatever proportion of the produce of the hand of his chief wife is due to the man, it is the fifth of the same that is due to him of the produce of the hand of his 'carrthach'-woman, or the fourth of the produce of the hand of his 'airech'-woman, but he has nothing of the produce of the hand of his 'dormaine'-woman, or of his 'imrim'-woman, for his 'carrthach'-woman and his 'airech'-woman are at his own command, and not so are his 'dormaine'-woman nor his 'imrim'-woman. The reason that he gets more of the produce of the hand of his 'airech'-woman than of the produce of the hand of his 'carrthach'-woman is, because he gives 'seds' for the command of the 'airech'-woman, and he does not for the command of his 'carrthach'-woman; and half of the honor-price of her father is given as the 'coibche'-marriage present of each woman of these, and he (*the man*) obtains an equal proportion of the bequest and liability of each woman of these, and of the bequest and liability of his chief woman except his 'indlis'-woman; but he obtains no part of her legacy and bears no part of her liability, for another person is under (*answerable for*) her liability; and by the cognizance of his chief woman and of his tribe he has all these women except the 'indlis'-woman; and he has her by the consent of her husband.

In the connexion of abduction and the connexion of secrecy, they (*the man and woman*) ought not to divide anything of live chattels or dead chattels at their separation, except the offspring. If the woman who has been carried off from her tribe by abduction has given aught to the husband who has abducted her, it is unlawful to withhold it from the tribe, and it shall be restored

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λαῖο ταίριε co leithdipe arpenar, mað na mna an do
paða. Ma beith cuir anð do nach aile, ið co na lanðipe
arpenar. Ar imta lanamnar tothla i taide.

Λανάμνυρ ποxαίλ, .i. in ben bepar ar poxal do denum lanamnar
ria, .i. in ben puataí. Λανάμνυρ ταιde, .i. in ben rið nðentap
lanamnar a taide, .i. cen pír dia pine. Ní techtað, .i. noco tæctat ní
do cum a roinn in tan do nia impeap, .i. uair ní bí accaib ní ðompaioit.
Ac h e compepta, .i. æt an comairbernaigter uaiðb ælrum, a
clainde, .i. tectaitimurpo a compepta. Cía do paða ben ní, .i. cirobeo
do bepa in ben bepar ar poxal amað don ti beuip amað hí a nécmair
a pine. Dia chele, .i. ní dia cpo do pír poxlar amað hí. Co
leithdipe, .i. co leð dpe eipniðer don pine ina petuibí, .i. ið aipe
ictair in leðdipe runn a peotu na mna uair ní hupnaioim ðligteð, ocup
ið aipe na hicanpim lan, amaið na icpað ið na petu no bepað o caða
memop ðeua, uair ið doða iapuaíxi romaine do bið eturpu rum. Mað
na mna, .i. mað leip in mna in ní do bepa, ið an aða pin. Ma
beith cuir anð, .i. mað paib cuir do neoð aile ið na petuib do bepat
na mna amað. Ið cona lanðipe, .i. ið lanðipe eipniðer don pine ina
petuib buðein. Ar imta, .i. ið amlað pin aða in lanamnur taide
do niðer a toetloð, .i. ið inann in dpe, ocup im comroinn, ocup im
compept.

O'D. 310.

[Co leth dpe ippeanup ma na mna an do paða.

.i. Co leðdipe eipniðer don pine ina petuibí; ma leip in
mna in do bepa ið an aða pin.

Inpeacha ar mac ca[r]thaiðe in leð dpe do beð don mna
ina petuibí buðein cuna tponucal ða pír ða ðeoin; cona eo
ar coip an, ið co leð dpe ippeanup, .i. ar cur in aða don
ðara leð, pe dpe ocup pe heimicunn eipniður an, .i. aithgin;
ðamað leip in pine na peoit imurpo, po buð cubuð dpe do
beð ðuib ina petuib. Ið aipe ictair leð dpe runn i peotu na
mna, uair ní hupnaioim ðligteð, ocup ið aipe na hicanpim po in
lan, amaið no icpað ið na petuib no bepað ac in meamup cheana,
uair ið dochu iapuaide romuineach do beð eturpupom.

¹ *Imperative.* The word 'comairbernaigter,' which is here freely translated,
appears to be used in a double sense, meaning both 'which is produced' and 'which
is enjoined by law.' In the former sense the word is used at page 404, third line
from bottom; in the latter sense, it is employed in O'D. 540.

and paid for with half 'dire'-fine, if it belong to the woman who gave it. If another had a share in it, it shall be paid for with full 'dire'-fine. *The case of the connexion of secret elopement is similar.*

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Connexion of abduction, i.e. the woman who is carried off by abduction to cohabit with her, i.e. the abducted woman. Connexion of secrecy, i.e. the woman who is cohabited with in secret, i.e. without the knowledge of her tribe. They ought not to *divide* i.e. they possess nothing to divide when they make the separation, i.e. because they have nothing to divide. Except the offspring, i.e. except the thing which springs from them, and which it is equally imperative¹ on them to foster, i.e. their children, i.e. they possess their offspring however. If the woman has given aught, i.e. whatever the woman who is carried off by abduction shall give to the man who carries her off in the absence of her tribe. To the husband, i.e. some of her cattle to the man who carries her off. With half 'dire'-fine, i.e. these 'seds' shall be paid to the tribe with half 'dire'-fine, i.e. the reason that this half 'dire'-fine is paid here for the 'seds' of the woman is because the marriage is not lawful, and the reason that she does not pay full 'dire'-fine, as would be paid for the 'seds' carried off from members of the tribe in general, is because there is more likelihood of profitable survivors being between them. If it belong to the woman, i.e. if the woman owns what she gives, it is then this is so. If another had a share in it, i.e. if another had a share in the 'seds' which the women carry out. With full 'dire'-fine, i.e. it is full 'dire'-fine that shall be paid to the tribe for their own 'seds.' Is similar, i.e. the case of connexion of secrecy which is made by elopement is similar, i.e. it is the same as regards the 'dire'-fine, and distribution, and offspring.

It shall be paid for with half 'dire'-fine if it belong to the woman who gave it.

That is, these 'seds' shall be paid for to the tribe, with half 'dire'-fine; this is the case if the woman *herself* owns what she gives.

It would be a plundering of the son of a 'carrrthach'-woman that full half 'dire'-fine should be paid by the woman for her own 'seds' which she delivered to her husband of her free will; and therefore what is right in this case is, that payment be made with half 'dire'-fine, i.e. in the other case (*where the woman takes cattle not her own, or all her own*) payment is to be made with 'dire'-fine and honor-price, i.e. restitution *should be made*; if the 'seds' belong to the tribe, however, it would be meet that they should get full 'dire'-fine for their 'seds.' The reason that half 'dire'-fine is paid here for the 'seds' of the woman, is because the marriage is not lawful, and the reason that she does not pay the full 'dire'-fine, as she would for the 'seds' carried off from the members of the tribe generally, is, because it is probable that profitable survivors may be between them.

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Mar ingean ghráid feine co mac ghráid feine, no ingean ghráid
flaíta co mac ghráid flaíta, no ingean ghráid flaíta co mac ghráid
feine, trian tinoil aicepe ocuṛ da trian as in fir.

Mar ingean ghráid feine imurro co mac ghráid flaíta, da
trian tinoil uaithe doṛum, ocuṛ trian tinoil o mac ghráid
flaítha, ocuṛ coimimdenam a feálba doib. Ocuṛ ir ar gabur
erec con aicidin for teét muige ocuṛ tige, ocuṛ ar foghí teát
do muig; ocuṛ rena in fir do mnai mara comoligethuch iat ocuṛ
mara comoligethuch, no mara oligteé in bean; uair oligteó
ceannroáda uil eturruó, ocuṛ ce airmio olig ceannroáda ac on
fir ar a ferrroáct no ar a foruairle, nochá moaire ro ríá
imdenum do ar in mnai ce bet amluíó rin, uair ir cunnruó fil
eturruó.]

Lanamnar eicne no pleithe ní techtat ba acht com-
perṛta; ocuṛ arrenar lan eṛaic in ingin macdoacht,
ocuṛ im macaillig ná diultá cailli, ocuṛ i cetmuinter;
leith eṛaic maó adaltracha; cen fpuithigide in ro uile,
co lan log einech ber fpuithem for, do be do neoch
dia mbi faindilear.

Lanamnar eicne, .i. do níṛ ar eicn, .i. ben forcuir. No
rleithe, .i. in ben rleithi. Ní techtat, .i. noco teétann tarba in
feap de. Acht comperṛta, .i. áct altram in neich comairberṛtaig-
ter uao. Arrenar, .i. ir uair eirníter lan neneclainn don ingin ac
ata in tiacht maicne ná rleith, no ná faruṣaó, .i. ná teora cumála no

¹ *Second stage of life*; i.e. from the age of seven to fifteen years—so ‘macroáct’
is explained in Cormac’s Glossary in voce ‘colamna áire’, vide. Stokes’ old Irish
Glossaries, p. 13. In O’D. 311, it is more fully explained as follows:—

“Mar re re ná reét mbliádan ro truailléó in ingean, lan coirpoire
innṛi, ocuṛ eineaclunn a duálṣur de; lan coirpoire o tha ná reét
mbliáda amác co ríge a tech, ocuṛ leét eineclunn a hachar; da trian

If it be the daughter of *one of* the Feini grade *that goes* to the son of *one of* the Feini grade, or the daughter of *one of* the chieftain grade to the son of *one of* the chieftain grade, or the daughter of *one of* chieftain grade to the son of *one of* Feini grade, she shall have one-third of the 'tinol'-marriage collection, and the man shall have two-thirds.

'CAIN LAMHNA,'
OR LAW OF
SOCIAL
CON-
NEXIONS

But if it be the daughter of *one of* the Feini grade *that goes* to the son of *one of* chieftain grade, she shall give two-thirds of the 'tinol'-marriage collection to him, and one-third of the 'tinol'-marriage collection *is left* by the son of *one of* chieftain grade *to her*, and they must mutually prove their possessions. And this *custom* is derived from the fact that they take possession of land and house with cognizance of *the tribe*, and a house is of service to the land; and the proof adduced by the man may be denied by the woman, if they are equally admissible to give legal evidence^a or equally inadmissible^a to give legal evidence^b, or if the woman be lawful; for it is a law of headship that is between them, and though the law cedes headship to the man for his manhood or his nobleness, he cannot the more, on account of his being so, prove against the woman, because it is a contract that is between them.

^a Ir. legal.
^b Ir. illegal.

In the connexion of force or secrecy they (the man and woman) possess nothing but the offspring; and full 'eric'-fine is paid for a daughter of the age of childhood, and for a young nun who has not renounced her veil, and for a first wife; half 'eric'-fine is paid if they be adultresses; all this is when they are without drawbacks, with full honor-price of those heads who are over them, to be paid to him to whom they particularly belong.

Connexion of force, i.e. which is committed by violence, i.e. a woman-rape. Or secrecy, i.e. committed on a woman secretly. They do not possess, i.e. the man does not derive any benefit from it. But the offspring, i.e. but he must foster the offspring which results from it. Full 'eric'-fine is paid, i.e. full honor-price is honourably paid to the daughter who is in the second stage of life,¹ for secret cohabiting with her, or for violating her, i.e. the three 'cumbals,'

κοινησιμντε οθα να τεχ μβλιασνα αμας κορυγε α cethuip δεc, οcυρ λεc emecunn α hachap οi; οcυρ ni fuil pann κοινησιμντε οθα pin amach."

"If the girl has been defiled within the age of seven years, full body-fine shall be paid for her, and honor-price in right of God; full body-fine also till she reaches the age of ten, and half the honor-price of her father; two-thirds of body-fine for her from the age of ten forth till she reaches fourteen, and half the honor-price of her father; and there is no division of the body-fine from that forth."

‘CAIN LA-
NAMHNA,
OR LAW OF
SOCIAL
CON-
NEXIONS.
—

let enecclann a athar.—S.D. 1m maccaillig, .i. no don mac caillig na
diultann a cailléet, .i. trian loigí enis na cailliche bíd amail atá
annharde, .i. amail atá let enecclann do tanaíri comarba bhríoi.
1 cetmuinnter, let log enis a ceile si, .i. don cetmuinntir a rogaíl
lain do denum ría. Leith eiríac, .i. let ná heirce fuil do ina pprim
mnaí ipreo fuil do ina ariú, no ip aoltraé hi, ocup eirínraacur lete do
rinne; ocup do ni maíe da toécur, .i. let ná heirce uil do ina pprim mnaí
ipreo uil do in a tharraéctaro ina hairiú; no ip rí a pprim bean hi, ocup
eirínraacur lete do rinne, ocup do ni maíe da toécur; let ná henecl-
lainni ro bi aice reime, si ina degeo, ocup aoltraé hi ann rin; no ip
let ná heirce uil do ina pprim mnaí do ná tharraéctaro don cairteag.
Maíe aoltraéach, .i. ceathramtu enecclainni a rin don ariú. Cen
pripitigíde, .i. cen oruir acu atáit ná hairnais reo doib uile, .i. da
mbe pripitigíde, ip uile don rin pripíe nolaann cen enecclann doib reín,
ocup icarí let enecclann ría cáe rear pripíe nolaat. Co lan log
eínech, .i. co lan enecclann don luét ip uairliu rin bir uaru da
cennab, no da coibdeáláb. Do neoch, .i. don tí dāna uile íat co
raiprúach.

Lanamnar genais, mer, no darachtaé, ppi oruith, no
darachtaiú, ní techta nechtar náe uprechtá do ro-
maine ná domaine; nech conðarúice ar gnae, ocup conn
ríada ndentar, lair in coimpeirt rin, má beith coimpeirt
de, a altram, ocup a cin, ocup a raith forab; ip ríú,
ocup eclar, ocup fine a neiric, ocup a ndíab.

Lanamnar, .i. do níer tpe gean noú. Genais, .i. cuibíde. Ppi
oruith, .i. do compiac ppi oruith no darachtaiúale. Ní techta nech-
tar, .i. noco techtaní nechtar de doib uaral oligeo do romaine díobad
no domaine cinat. Nech conðarúice, .i. nech compaicef íat ar gnae
ro cuibíde. Conn, .i. in conach i ndentar ríadanaíre in compiac. Lair
in coimpeirt rin, .i. ip leir in coimpeirt arar don compiac ríad-
uallum. Má beith coimpeirt de, .i. da nára coimpeirt uathab.
Altram, .i. do denam. Al cin, .i. cin a coirí ocup a laime sic.
Al raith, .i. cin a rathaiúir. Ip ríú, ocup eclar, ocup fine, .i. ip

¹ *Brighit*, i.e. St. Bridget of Kildare.

or half the honor-price of her father.—S. D. For a young nun, i.e. or for the ‘CAIN LA-
young nun who has not renounced her nunship, i.e. one-third of the honor-price of NAMHNA,’
the nun who is similar to this one, (i.e. who has not renounced her veil or her nunship,) OR LAW OF
i.e. such as half honor-price to the tanist successor of Bright.¹ And for a first SOCIAL
wife, half the honor-price of her husband is due to her; i.e. to a first wife for CON-
committing full trespass against her. Half ‘eric’-fine, i.e. half the ‘eric’-fine NEXIONS.
which is due to him for his chief wife is what is due to him for his ‘airech’-woman;
or, according to others, she is an adultress, and it was impropriety that was committed
with her; and she does good with her property, i.e. half the ‘eric’-fine which is due
to him for his chief wife is what is due to him for the seduction of his ‘airech’-
woman; or, according to others, she (the one here referred to) was his chief wife,
and impropriety was committed with her, and she does good with her property;
half the honor-price which she had before, she retains after it, and she is then an
adultress; or, according to others, it is half the ‘eric’-fine that is due to him for his
chief wife that is due to him for the seduction of his ‘carrthach’-woman. If
adultresses, i.e. the fourth of the honor-price of her man is due to the ‘airech’-
woman. Without drawbacks, i.e. it is when they (the women) are without
unchastity on their part, that all these kinds of fine are due to them, i.e. if there be
drawbacks, it is lawful for the man with whom they make the assignation not to pay
honor-price to themselves, and every man with whom they make an assignation
shall pay honor-price for them. With full honor-price, i.e. with full honor-
price to the noblest of those heads who are truly over them, or to their relatives. To
whom they particularly belong, i.e. to the person to whom they particu-
larly belong.

*In the case of connexion of mockery, of a lunatic, or
mad man, with a female lunatic, or mad woman,
neither of them is entitled to any share of profits or
losses; the person who united them for fun, and
the sensible adult before whom it was done, are bound
to foster the offspring, if offspring ensue of it, and
bear their crimes, and become their security; their
‘eric’-fine and their legacy belong to the king, and
the church, and the tribe.*

Connexion of mockery, i.e. which is made through perfect wilfullevity. Of
mockery, i.e. of wilful levity. With a lunatic, i.e. one lunatic to cohabit with
another lunatic or mad person. Neither is entitled, i.e. neither of them is entitled
to any share of the profits of the legacies, or liable to bear the losses of the crime.
The person who united them, i.e. the person who brought them together for the
sake of sport. The sensible adult, i.e. the sensible adult before whom the
union was made. Is bound to foster the offspring, i.e. it is his duty to
foster the offspring which proceeds from that union. If offspring ensue of
it, i.e. if offspring grow from them. To foster, i.e. to perform the fosterage.
Bear their crimes, i.e. to pay for their crimes of foot and hand. Security,
i.e. to be security for their crime. To the king, and the church, and the

'CAIN LA- 1AT A TPYUP NO BI NA PIAONAIRI ANOΓPAH, OCYF CIO AEN TOIB IP AÍΛAIO PEIN
 NAMHNA,' BIAF. A neipic, .i. coipeoipe. A nōibao, .i. pet ocuf maine, amail
 OR LAW OF 1CAIO IN CINAIO.
 SOCIAL

CON-
 NEXIONS.

O'D. 311-
 312.

[.i. Inci do rinne uirnaioim na da meap, ma ta clann acuo, ocuf ni fuilto a fine ap aipio, no ce bet for aipio, ocuf ni fine coonuch iat, in taltrum for in ti do rinne an uirnaioim.

Ma tait fine for aipio, ocuf ip fine coonuch iat, in taltrum for fine. Ma tait a da fine imupio for aipio, ocuf ip fine coonuch, in comaltrum do denum doib.

Marat coonuid in tapia de, ocuf ecoonuid apail, in taltrum for fine coonuch.

Mar ecoonuch do rinne in uirnaioim a piaonuire na coonuch, in taltrum for in coonuch i noepnao piaonuir.

Mar iat fein ceana no comuic cin neach dia uirnaioim, in taltrum for pep in fearuinn. Na coonuid no batap a piaonuir in da meap as denum in lanumnuir, in taltrum do ceirume forpo ap bith as a fellceet; na coonuid po tepa a denum imupio in taltrum orpuo ríoe co hair diailepi; aet muna dingba fellceet, a cethruime doib, ocuf athcuirp e for fine iap nair diailepe, ocuf atcuirp fine for ríog.]

tribe, i.e. the three were the witnesses here, and though only one of them *were so* 'CAIN LA-
it will be similar. Their 'eric'-fine, i.e. body fine. Their legacy, i.e. *they* NAMHNA,
get their 'seds' and their property, in as much as they pay for the crimes. OR LAW OF
SOCIAL
CON-
NEXIONS.

That is, the person who united the two lunatics *must bear the fosterage of the children*, if they have children, and their tribe are not present, or, *according to some*, though they (*the tribe*) be present, if they are not sensible adults, the *burden of the fosterage falls* on the person who made the union.

If the tribe be present, and they are sensible adults, *the burden of the fosterage is* upon the tribe. But if the tribes of both are present, and they are sensible adults, they must perform the fosterage equally.

If the one party be sensible adults, and the other not-sensible adults, the tribe of the sensible adults shall sustain the fosterage.

If it was an insane adult that caused the union in the presence of the sensible adults, the fosterage is upon the sensible adults who witnessed it.

But if it was they themselves that united, no person uniting them, the *burden of the fosterage* shall be upon the owner of the land. The sensible adults who were present when the two lunatics entered into connexion, shall sustain the fosterage as far as the fourth part, for having been eye-witnesses; and the sensible adults who caused it to be done shall sustain the fosterage until the age when it is completed; but if they were not eye-witnesses, a fourth shall be taken off which they shall transfer to the tribe after the age when the fosterage determines, and the tribe shall transfer it to the king.

APPENDIX.

‘CAIN LANAMHNA’—(continued).

APPENDIX. 1η ταρβυρ το ροινο 1 τρι, .1. τριαν το ετη, οκυρ τριαν το ηη, οκυρ τριαν το ηητςγνυη. Τριαν ηητςγνυμα, αετ μα τα ηηρ οκυρ θαιη το λειτς αιρι, α λεατ το ηητς οηρι. Ξυνυθ ηειρεθ no τριαν το ηητς in αρβα υηι αιccιρι ανηριη.

‘Cain Lanamhna,’
or Law of
Social Con-
nexions—
continued.

Μαινε υηετ ηηρ na θαιη αιρι ιτηρ, αετ μα τὰ ηηηη λαιηη αιριυηη, ουλ οηρι ιηηα ηηηηραθριη ηηηηηηι α λεατ; μαηα μαρθενταιθ ηι no ηηηηηηι α τριαν. Μαηα ηεccθενταιθ, ηυνυθ ηειρεαθ no ηοηαθ ηηηηα α ηηρ αιccιρι ανη ηειη.

Μαινε υηλ ηηηη λαιηη αιccιριυηη ιτηρ, αετ μα τα εταιλ αιριυηη, ουλ οηρι α τριαν ηηηηηηηηα θα εταιλριυηη ηηηηηηι α λετ, μαηα μαρθενταιθ, no ηηηηηηηηι α τριαν μαηα ηεccθενταιθ, ηειηοθα εταιλ ηοιρceλα no eccαλληα; υαιη ηucu ηερα ηη ηειρceιθ, ηυνυθ ηειρεθ no ηοηαθ εταλα in ηηρ αιccιρι ανη ηειη.

Αετ μα τα λανηηηηηαθ ηηηα ac ηηηαι, ηηο ηορβαρacha ηηο ηειηορβαρeαθ, ιη α ουλ 1 λανηηηηηαθ ηηρ. 1ηeθ ιη ηηηηηαθ ηορβαρeαθ ανη, ιηυθ οκυρ εταθ; 1ηeθ ιη ηηηηηαθ ηεαηηορβαρeαθ ανη, ηηο οκυρ λοηηατ οκυρ αλeριυη.

Μαιηη υηλ λανηηηηηαθ ηηηα αιccιρι, caθ ηη ιη eηβαθαch υαeι το ηηο αιccιριυηη θα ηηηηηαθ ηειη ουλ οηρι ιηηο, οκυρ eηηeθ caθ οηθ 1 ηηηηηαθ α ceλε ο ηειη αμαθ; no ηηο α ηηηηη ac caθ ηειη ουλ το ηεoc οηθ 1 ηηηηηηη α ceηε.

1ηηeθ θα ηη ηεccθενταιθ οηρι ηαναιcιθ υαθριυηη ιηα αιηηοηι, no ηηηηηηη αιccι. 1ηeθ θα ηη μαρθενταιθ οηρι ηειη ηη οηηηηηη αιηηηηηηη.

Σειρεθ ουν μαρθενταιθ αρ in ηηηηαθαη υηι; α θα τριαν οη αρ in eηραθ α αειυη, ιx.; α τριαν αρ in ηαηηαθ οκυρ αρ in ηoηηαη; ιηη ocημαθ ηαηη α θα τριαν ηe οeθ αρ in ηoηηαη, in ceηραμαθ ηαηη ηιeετ α τριαν αρ in ηαηηαθ, in ceηραηηαθ ηαηη caeccατ.

¹ *One-half.* There appears to be a portion of text wanting here in the original.

² *His property.* After the Irish for these words the MS. is again defective.

³ *The one-fifty-fourth part.* The numerals here must be corrupt.

APPENDIX.

LAW OF SOCIAL CONNEXIONS—(continued).

The corn is divided into three parts, i.e. one-third for *the owner* APPENDIX.
of the land, and one-third for *the owner* of the seed, and one-third
for the *person who has done the work*. Of the third for the work, ^{‘Cain La-}
if she (*the woman*) has men and oxen, she shall obtain the one-half. ^{namhna,’}
She shall obtain one-sixth or one-third of all the corn then. ^{or Law of}
^{Social Con-}
^{nexions—}
^{continued.}

If she has not men or oxen at all, but has hand-work, she shall
obtain^a by her work as much as one-half; or if she is a great ^{a Ir. go into.}
worker, as much as one-third. If she is a small worker, she shall
then have the one-sixth or the one-ninth of the *value of the work*
of her husband.

If she has not hand-work at all, but if she has property, she
gets^b one-third of *the value of his work and his property*,² as far as ^{b Ir. goes}
one-half if she be a great worker, or as far as one-third if she be a ^{into.}
small worker, except the property of the gospel or of the church;
for she shall obtain nothing thereof, so that it is the sixth or the
ninth of the property of the man she shall have then.

But if a woman has the full work of a woman whether it (*the*
work) be productive or non-productive, she shall obtain^c *the value*
of the full work of the man. Productive work is increase and ^{c Ir. go into.}
clothes; non-productive work is quern-work and kneading and
nursing.

If she has not the full work of a woman, whatever she comes
short thereof, he (*the man*) has whatever she comes short of it,
i.e. of her work, and she does not share in it, and each of them
participates in the other's work from that out; or each of them
shall have *the value of his own work* without participating in that
of the other.

What makes her a small worker is to have feminine implements
supplied by him, *that are taken into account*; or she has a mill
supplied to her. What makes a great worker of her is when she has
none of these things *supplied*.

One-sixth *is due* to the great worker, throughout the whole year;
two-thirds of it for the spring alone, *i.e.* one-ninth; one-third for
the summer and the autumn; the one-eighth of the two-thirds is
what goes in the autumn, the four-and-twentieth of the one-third
in the summer, *i.e.* the one-fifty-fourth part.³

APPENDIX.

‘Cain Lannamhna,’
or Law of
Social Con-
nexions—
continued.

Νομᾶδ̃ οὖν beccdenat̃aḡ ar in mbliat̃aḡ inli; a ḡa t̃rian
r̃id̃eic ar in ep̃aḡ a aenur; in t̃f̃eḡt̃maḡ r̃año decc cenmotha
in r̃eip̃r̃eḡ r̃anñ decc na r̃eaḡt̃maḡ r̃ainne r̃iḡet, in r̃eḡt̃maḡ
r̃anñ r̃iḡet ar in r̃am̃r̃aḡ ocuf ar in r̃oḡm̃ar; a ḡa t̃rian
r̃iḡec ar in r̃oḡm̃ar; in ceat̃r̃amaḡ r̃año ḡenmotha in ceat̃-
r̃amaḡ r̃año na haenmaḡ r̃ainne oḡt̃m̃oḡat. In aenmaḡ r̃anñ
oḡt̃m̃oḡat ar in r̃am̃r̃aḡ a aenur, ocuf in t̃riañ at̃a ḡo r̃r̃iḡh-
ḡnum, a leat̃ ḡo ḡam̃aiḡ a aenur; r̃eip̃r̃eḡ in t̃r̃eip̃r̃o aeile ḡer̃aiḡ
ocuf ḡer̃nuich ocuf ḡo leḡr̃uḡ ocuf ḡo ḡr̃anñḡaiḡ; a leat̃h̃r̃oḡe
ḡer̃aiḡ. Aili decc in aili decc ele, a leat̃h̃r̃oḡe ḡeip̃nuich; in
ceḡr̃amaḡ r̃anñ r̃iḡet in ceat̃r̃am̃iḡaḡ r̃anñ r̃iḡet ele ḡo loḡan-
cuf ocuf ḡo ḡr̃anñḡaiḡ, ḡunaḡ in noḡt̃maḡ r̃año ceat̃r̃acaḡ
cuiriḡ ceḡtar̃ de.

Ceip̃r̃i mucca ar a mbeip̃r̃ ben r̃eip̃r̃eḡ; muc cennaiḡt̃her̃ ḡo
laḡt̃ r̃eip̃r̃o ocuf meḡtar̃, no ar laḡt̃ r̃eip̃r̃o ocuf meḡtar̃ ar ar̃bur̃
r̃eip̃r̃o; no muc cennaiḡt̃her̃ ḡar̃bur̃ r̃eip̃r̃o, no muc cen-
naiḡt̃her̃ οὖν ḡar̃na de ocuf meḡtar̃ ar aile.

Ceip̃r̃i mucca ar a mbeip̃r̃ ben noḡmaḡ; muc cennaiḡt̃her̃ ḡu
laḡt̃ noḡmaḡ ocuf meḡtar̃ ar laḡt̃ noḡmaḡ, no muc cennaiḡt̃her̃
ḡar̃bur̃ noḡmaḡ ocuf meḡtar̃ ar ar̃bur̃ noḡmaḡ; ocuf muc
cennaiḡt̃her̃ οὖν ḡar̃a de ocuf meḡtar̃ ar ar̃aile.

Ceip̃r̃i mucca ar a mbeip̃r̃ ben aili ḡeḡ; muc ḡu r̃uioḡuip̃ iño
ḡip̃r̃, ocuf meḡtar̃ ar laḡt̃ r̃eip̃r̃o, no muc ḡo r̃uioḡuip̃ iño ḡip̃r̃, ocuf
meḡtar̃ ar ar̃bur̃ r̃eip̃r̃o, no muc cennaiḡt̃her̃ ḡu laḡt̃ r̃eip̃r̃o
ḡar̃bur̃ r̃eip̃r̃o ocuf meḡtar̃ r̃or̃ mear̃ t̃rip̃ eaḡt̃r̃año, ocuf ñi
r̃oiḡ r̃i r̃r̃iḡḡnum̃.

Ceip̃r̃i mucca ar a mbeip̃r̃ ben in oḡt̃maḡ r̃anñ decc; muc
ḡo r̃uioḡuip̃ iño ḡip̃r̃ ocuf meḡtar̃ r̃ar̃ laḡt̃ noḡmaḡ; no muc ḡo
r̃uioḡuip̃ iño ḡip̃r̃ ocuf meḡtar̃ ar ar̃bur̃ noḡmaḡ; no muc cen-
naiḡt̃her̃ ḡo laḡt̃ noḡmaḡ no ḡar̃bur̃ noḡmaḡ ocuf meḡtar̃ r̃or̃
mear̃ t̃rip̃ eḡt̃r̃año, ocuf ñi r̃oiḡ r̃i r̃r̃iḡḡnum̃ muicci na muicceḡa
año r̃ein.

Mucc ar a mbeip̃r̃ ben noḡmaḡ ocuf in r̃eip̃r̃eḡ r̃año t̃r̃iḡat̃;
mucc iñoḡuḡa coit̃ceño noḡmaiḡe, ocuf meḡtar̃ r̃or̃ mear̃ t̃rip̃
eḡt̃r̃año, na r̃oiḡ r̃i r̃r̃iḡḡnum̃ muicci ocuf muicceḡa año; noḡmaḡ

¹ *The seventeenth.* The numbers here appear to be corrupt.

² *The eighty-first part.* The numerals here again are corrupt.

One-ninth *is given* to the small worker throughout the whole year; two-thirds of that for the spring alone; the seventeenth part¹ minus the one-sixteenth part of the twenty-seventh part, the one-twenty-seventh part for the summer and autumn; the two-thirds of this for the autumn; the one-fourth part minus the fourth of the eighty-first part.² The eighty-first part for the summer alone, and of the third which is due to *those who perform the labour*, the one-half is for *the owners of the oxen alone*; the sixth of the other sixth is for *those who supply the men and irons and leather and timber*: the half of this is for men. *As to the twelfth of the other twelfth*, the half *goes to the owners of irons*, the twenty-fourth of the other twenty-fourth to the *owners of the ropes and the timber*, and the share of each is one forty-eighth.

APPENDIX.
 'Cain Lannamhna,'
 or Law of
 Social Con-
 nexions—
 continued.

There are four pigs, out of *the value of which the woman gets one-sixth*; a pig which is bought for milk of a sixth, and is fattened, or for milk of a sixth, and is fattened on corn of a sixth; or a pig which is bought for corn of a sixth, or a pig which is bought for the one (*milk*) and fattened on the other (*corn*).

There are four pigs, out of *the value of which a woman gets one-ninth*; a pig which is bought with milk of a ninth and fattened on milk of a ninth; or a pig which is bought with corn of a ninth, and fattened on corn of a ninth; and a pig which is bought with one (*milk*) and fattened on the other (*corn*).

There are four *kinds of pigs* out of *the value of which a woman gets the one-twelfth*; a pig of the true property of the man, and which is fed on milk of one-sixth, or a pig of the true property of the man, and which is fattened on corn of one-sixth, or a pig which is purchased for milk of one-sixth, or for corn of one-sixth, and which is fattened on masts of an external land, and got no attendance (*i.e. the woman did not feed it*).

There are four pigs out of *the value of which a woman gets the one-eighteenth*; a pig of the true property of the man, and which is fed upon milk of one-ninth; or a pig of the true property of the man, and which is fattened upon corn of one-ninth; or a pig which is purchased for milk of one-ninth, or for corn of one-ninth, and which is fattened upon masts of an external land, and did not receive the attendance a pig *usually does*, or that of a swineherd in this case.

There is a pig out of *the value of which a woman gets the ninth and the one thirty-sixth*; a pig of general increase of one-ninth, and which is fattened upon the masts of an external land, where it (*the pig*) required the *usual care* of a pig, and a swine-herd;

APPENDIX. na muici fein raba le ac dul fo accaill, leat nomad meth
 'Cain La-
 namhna,'
 or Law of
 Social Con-
 nexions—
 continued.

ειριδεicc, let don colainn rogabbaltaiz an; nomad in let fein
 1r leir .i. leth nomad; comhan epide in oetmad rann decc in
 leithi eile berar; in ceatrainmēi meara fir tiri deiri; in cet-
 rainmēi eile du roinn 1 tiri itir fear ocuf muccadaiβ ocuf mnai,
 conad aili decc ra roic du caδ duine tib. In aili decc po roic
 tiri, a da trian rideiz, in oetmad rann decc, let nomad epide;
 tabair in let nomad fein fir in let nomad o dianaiβ, conad
 nomad comhan. Trian na haili decc in treireδ rann triat;
 gunuδ nomad aicciri annrein ocuf in treireδ rann triat; ocuf
 damad let cuiz uairi uili po bad nomad aicciri ocuf aili
 decc ocuf in treireδ rann triat. Damad da trian bad le,
 robad nomad ocuf in toetmad rann decc ocuf in treireδ rann
 triat acci. Damad le a leat cotac buadaili, rabad nomad
 aicc ocuf ceatrainmēi rann riet ocuf in treireδ rann triat.

Can ar a ngabar in ceatrainmēi mearra fir tiri. 1r ar gabar;
 ragabar leath dun colainn rogabaltaiβ ann; in leat aile nucu
 nuil aet tiri ocuf frietgnuih uimri; ocuf caδ baili 1 ragabar iat
 araien im comhrainn, 1r roinn ar do bir eturpo.

Cro podera loz ar metad na muici, uairi nucu moiui a loz
 du reir olizid? 1r e rat po vera, ata cutruma nomad na
 laini oir darzut, po cutruma aili decc na palac oir darzut ar
 a denuih, ocuf nucu moiui a loz du reir olizid; aet ferrioi
 ne fer na haidi a bith uirliuih, ocuf cona deirad raeatir ceirda
 uirhain; 1r aihaid rin 1r ferrioi ne fer na mucc a metad, ocuf
 cona deirad mear fir in fearainn 1 uirhain.

In tetac po in olann; aet mara ann ra fearat in lanamian
 inaimfer lomartac, mar iat cairiz in fir, trian bunad ocuf
 trian tiri aiccium. Trian frietgnuih; trian doruih ar liar-
 rad, a trian tiri ar errad, a trian uigairib air imcomet;
 guna nomad olla in fir aicciri ann fein.

Mannir fearat ann fein itir, iat nomad na holla uirri ar
 lomrad, ocuf fuil ann firin nomad cupad treireδ ann ar belad

¹ *The wood.* The text of the original is here defective.

² *Is given.* Text defective here also.

³ *Half one-ninth.* Text defective again.

the ninth of *the value* of that pig was hers when going into the wood,¹ that is half-ninth for the fattening; half to the body that is in good condition; one-ninth of that half is his; i.e. half one-ninth; that is the one-eighteenth part of the other half is given;² the fourth of the masts of the owner of the land goes to her; the other fourth is divided into three *equal parts* between the owner of the land, the swine-herds, and the woman, which makes one-twelfth for each one of them. Of the one-twelfth which comes to her, the two-thirds, i.e. the one-eighteenth which is equal to half one-ninth;³ add the half of this one-ninth to the half-ninth just mentioned, and they make a full ninth. The third of the twelfth is the one thirty-sixth; so that she has one-ninth and one-thirty-sixth; and if the whole of the swine-herd's share were hers she would have one-ninth and one-twelfth and the one-thirty-sixth part. If the two-thirds of the swine-herd's share were hers, she would have one-ninth and one-eighteenth and one-thirty-sixth part. If half the swine-herd's share were hers, she would have one-ninth and the one-twenty-fourth and the one-thirty-sixth.

APPENDIX.
 'Cain La-namhna,'
 or Law of Social Con-
 nexions—
 continued.

Whence is derived the fourth of the masts of the owner of the land? It is derived from this: one-half is got for the good-conditioned body; for the other half only land and attendance is concerned; and wherever both are found together, in case of division, it (*the half*) is equally divided between them.

What is the reason that there is payment for the fattening of the pig, as it does not increase the price according to law? The reason of it is, that the equivalent of one-ninth of the head-band of gold is *paid* in silver, or the equivalent of the one-twelfth of the gold ring is *paid* in silver for the making of it, and *still* its value is not the more according to law; but the owner of the article is better pleased that it should be ready, and that the labour of the goldsmith might not go for nothing; it is thus that the owner of the pigs is better pleased that they should be fattened, so that the masts of the owner of the land might not go for nothing.

As to the cloth or the wool; if the wedded pair separate at the time of the shearing of the sheep, if the sheep be the man's *property* he shall have one-third for the stock, and one-third for the land. Of the third *due* for service, one-third goes to him for folding, one-third to her for littering, and one-third to the shepherd for minding; so that it is one-ninth of the man's wool she shall have in this case.

If they did not separate at all on this occasion, she (*the woman*) shall have one-ninth of the wool after it is shorn, and the one-

APPENDIX.
 'Cain La-
 namhna,'
 or Law of
 Social Con-
 nexions—
 continued.

ocur ar cumarc; fuil ann perin peireð suna trian ar cirta
 aobulam; fuil rir in trian gurub leat o bial na innuc no na
 etuch urlum. Leth ocur let nomad aicciri ann fein, gen uil
 ofir ina gnithrad ri, ocur let genmoða let nomad aigiriun.
 Ocur teit per ina gnithradri gu mbeireno leat in leit uaiti,
 cona teora ceatramhata aicciriun genmoða teora ceatramhata
 in let nomad, ceatramhiti ocur leit nomad aicciri.

Mar iat cairig na mna iat, mar a naimhir lomareta pa
 reargat, trian bunad ocur trian tiri aiciriun; trian
 fuitgnunha, a trian dorun ar liargad, a trian tiri ar eargad,
 a trian duigairib ar incoimhet. Mar etargu arden atat buadaili,
 trian fuitgnunha do roino ar do eturro, suna leat olla na
 mna aigiriun annirin. Cibe dib aza tat buadaili a cuir do
 brait do.

Mairir reargat annirin itir, nomad na holla tiri ar a
 lomrad; fuilleð ririn nomad gurub peireð ar bealad ocur
 ar cumarc; fuilleð ririn peireð gurub trian ar cirta aobulam;
 fuilliuð ririn trian gurub let o bial inna innuc no na etuc
 urlum, suna teora ceatramhata aicciri annirin, ocur ce-
 ramhiti aigiriun, gen uil ofir na ngithrad. Ocur teit per ina
 gnithrad gu mbeireno ceatramhiti a codach uaiti, suna roinn
 ar do in etair eturro ann fein; ocur ben fein taimic o da
 lomrait cairig, gu noerpad etad da olaind pa ar orro o fein
 immad. Ocur damad in naimhir lomareta po bat eargadac cuirig
 eargaretha uaiti.

Mar a naimhir luad taimic, trian innec da roirmaet a luad
 do mna aille, no leth da mna fein. Ocur aradu ocur
 fuitgnun in luad uil aicciri ann rin. Mara neetar de, mara
 aradu, ir trian in lete da mna fein, no trian in tiri do mna
 comitig. Mara fuitgnun, da trian in lete da mna fein, no

¹ *Innuc-thread.* 'Innuc' is probably the old form of 'inneach,' the modern
 Irish word for woof or weft.

ninth is added unto, until it becomes one-sixth after its being greased and teased; the one-sixth is added to until it becomes one-third after its being rough-combed; the one-third is added to until it becomes one-half when it is in the state of 'innuc'-thread, or ready-made cloth. She shall then have one-half and half one-ninth when the man takes no share in her work, and he shall have one-half minus one-ninth. And *when* the man takes a share in the work he bears off half of the one-half from her, in such a way that he has three-fourths, minus three-fourths of the half-ninth, and she has one-fourth and one-half of the one-ninth.

APPENDIX.
'Cain Iannamhna,'
or Law of
Social Con-
nexions—
continued.

If they be the sheep of the woman, *and* if they (*the couple*) separate in the time of shearing, she gets one-third for the stock and one-third for the land; *of* the third for attendance, he gets a third for folding, she gets a third for littering, a third *goes* to the shepherds for minding. If the servants belong to them both, the third due to service is to be divided into two parts between them, so that he (*the man*) has one-half of the wool belonging to the woman in this case. To whomsoever of them the servants belong to that person their share is given.

If they did not separate at all on this occasion, she shall have one-ninth of the wool after it is shorn; *and* the one-ninth is added to until it becomes one-sixth after its being greased and mixed; the one-sixth is added to until it becomes one-third after its being rough-combed; the one-third is added to until it becomes one-half when it is in the state of 'innuc'-thread or ready-made cloth, so that she has three-fourths then, and he one-fourth, *i.e.* when the man does not participate in her work. But if the man participates in her work, he bears away the one-fourth of her share from her, so that the cloth is then divided into two *equal parts* between them; and this is *the case* of a woman who came to *live with the man* after the sheep had been shorn so that she made cloth of the wool which grew on them, from that out. And if it was at the time of the shearing *she came* she would be deprived of the share for littering.

If it was in the time of tucking *the cloth* she came, one-third of what the tucking would add to *the value of the cloth* is given to another woman, or the half to his (*the man's*) own wife. And she has implements and the attendance required for tucking *the cloth* in this case. If she has either of them—if she has the implements *alone and not the workmen*, it is one-third of one-half *that is due* to his own wife, or one-third of the third to a strange woman. If it



APPENDIX. *‘Cain La-namhna,’*
or Law of
Social Con-
nexions—
continued.

Ἡ τριαν το μνηαι κοιμιτῖς; οὐρ ὅα τριαν ἰννεὲ βιαρ ἀρ ἀραῶαιν
οὐρ ἀρ φριτῆγνυῖ, οὐρ α ὅα τριαν ἀρ φριτῆγνυῖ, οὐρ α ἀεν
τριαν ἀρ ἀραῶαιν.

Sic.

Σειρεθὸ το μνηαι α γλαιορην, μαραι γλαιορην ἰν ριρ ἡι, μαρ ἀνο
ρα ρεαρρατ ι ναιμριρ βυανα να γλαιορην, τριαν βυαναὸ οὐρ
τριαν τιρ ἀειριυῖ οὐρ τριαν φριτῆγνυῖα; οὐλ οἰρ ἰνο
γυρῖ α λετ μαρὰ μαρδενταῖ, νο γυρῖ α τριαν μαρὰ
beccdentαι, conα ρειρεθὸ νο νοῖαὸ να γλαιορην υἱ ἀειρι
ανηρεμ.

Μαιριρ ρεαρρατ ανηριρ ιτιρ, νοῖαὸ να γλαιορην οἰρ ἀρ α βυαν,
οὐρ ρυλλεὸ ἰν νομαὸ γυρῖ ρειρεθὸ ἀρ ταιριτινὸ το δenuῖ δε.
Ρυλλεὸ ριρ ρειρεθὸ γυρῖ τριαν ἀρ ἰν δet ἔρῦ. Ρυλλεὸ ριρ ἰν
τριαν γυρῖ λετ ἀρ ἰν ἔρῦ ταναιρ, νο μαδαι ὑρῖ γυρῖ λετ
οὐρ αἱ δεcc ἀειρι, νο λετ αὐρ οὐτμαὸ ρανν δεcc. Cen οὐλ
οἰρ ἰνο γνιῖραῖ, οὐρ τετ ρεαρ ἰνα γνιῖραῖ γυ βειρενν
ceῖραῖ υαῖ, conα τορῖ ceαῖραῖ ἀειριυῖ cenmoῖα
ἰν αἱ δεcc νο ἰν οὐτμαὸ ρανν dec; ceαῖραῖ ἀειρι οὐρ αἱ
δεcc νο ἰν οὐτμαὸ ρανν δεcc.

Νομαὸ το μνηαι α ἱν μαρὰ ἱν ἰν ριρ, μαρ α ναιμριρ βυανα ἰν
ἱν ρα ρεαρρατ; τριαν τιρ οὐρ τριαν βυαναὸ ἀειριυῖ. Τριαν
φριτῆγνυῖ, οὐλ οἰρ ἰνο γυρῖ α λετ μαρὰ μαρδενταῖ, νο
γυρῖ α τριαν μαρὰ beccdentαι, conα ρειρεθὸ νο νομαὸ ἰν
ἱν ἀειρι ανηρεμ.

Μαιριρ ρεαρρατ ανηριρ ιτιρ, νομαὸ ἰν ἱν οἰρ ἀρ α βυαν,
οὐρ ρυλλεὸ ριρ νομαὸ γυρῖ ρειρεθὸ ἀρ ρεαβαῖ τριμα
το δenuῖ δε. Ρυλλεὸ ριρ ρειρεθὸ γυρῖ λετ ο βιαρ ἰνα
ρῖα ὑρῖ νο να λεῖρ, γυρῖ λετ οὐρ αἱ δεcc ἀειρι
ανηρεμ, νο λετ οὐρ ἰν οὐτμαὸ ρανν δεcc. Cen οὐλ οἰρ ἰνα
γνιῖραῖ, οὐρ τετ ρεαρ ἰνα γνιῖραῖ γυ mβειρενν
ceῖραῖ υαῖ, conα τορῖ ceαῖραῖ ἀειριυῖ γenmoῖα ἰν

oe the attendance *she has*, two-thirds of the half *are due* to his own wife, or two-thirds of the third to a strange woman; and two-thirds of what is due for the implements are for the attendance *i.e.* two-thirds for attendance (*workmen*), and one-third for the owners of the implements.

APPENDIX.
 'Cain La-
 namhna,'
 or Law of
 Social Con-
 nexions—
 continued.

One-sixth is due to the woman out of the 'glaisin'-dye-plant, if it be the 'glaisin,' of the man, *and* if it was at the time of gathering the 'glaisin' *they separate*, he shall have one-third for the original, and one-third of *what belongs* to the land, and one-third of the *sum due* for attendance; she shall obtain^a as far as one-half, if she be a great worker, or as far as one-third if a small worker, so that she gets the one-sixth or the one-ninth of all the 'glaisin' in this case.

^a Ir. go into.

If they did not separate then at all, she gets one-ninth of the 'glaisin' after its being gathered, and the one-ninth shall be added to until it becomes one-sixth *due to her*, when it is made into cakes. The one-sixth shall be added to until it becomes one-third *due to her*, out of the first 'cru'-process. The one-third shall be added to until it becomes one-half *due to her* out of the second 'cru'-process, or if it be *completely* prepared at the time of their separation she shall have one-half and one-twelfth, or one-half and one-eighteenth. *This is when* the man does not participate in her work, but if the man participates in her work he shall bear away the one-fourth from her, so that he shall have three-fourths, *minus* the one-twelfth or the one-eighteenth; and she shall have one-fourth and the one-twelfth, or the one-eighteenth.

The one-ninth of the flax is due to the woman if the flax belongs to the man, *and* if it is at the time of pulling the flax they separate; he shall have the one-third for the land, and one-third for the original *seed*. *As to* the one-third for the service, she shall obtain^b as far as one-half of it, if she is a great worker, or as far as one-third if she be a small worker, so that she shall have the one-sixth or the one-ninth of the flax in that case.

^b Ir. go into.

If they did not separate then at all, the one-ninth of the flax is *due* to her after it has been pulled, and the ninth is increased to one-sixth when dry sheaves have been made of it. The sixth is increased to one-half, *which is her share* when it is in the condition of ready manufactured thread or linen, so that she shall then have one-half and one-twelfth, or one-half and one-eighteenth. *This is* when the man does not participate in her work, but if the man partakes in her work, he bears away one-fourth, so that he has three-fourths

minus one-twelfth or one eighteenth, and she shall have one-fourth APPENDIX.
and one-twelfth, or one-eighteenth.

One-ninth of the 'roid'-dye-plant¹ is due to the woman in every case after its being gathered. The ninth is increased to one-sixth when it is made into 'trillsin'-bundles; the sixth shall be increased to one-third when it is made into 'scriplin'-bundles; the third shall be increased to one-half, when it is in *the state of* meal or prepared colouring stuff; and the same disposal is made of it from that out, as of the flax and the 'glaisin'-dye-plant with respect to its division between the man and the woman; and the same shall be the case with the leeks.

She gets the makings of a hive of honey or of the swarm of bees, if they have swarmed, i.e. to one-third or one-ninth; and the third *due* for attendance is to be considered respecting the bees as it is in the case of other things which require attendance; and the woman obtains^a as far as one-half, or as far as one-third, or it is to be like ^{a Ir. goes into.} the things already *mentioned*.

As to the increase, if it be the increase of the cattle of the woman, she shall have the one-third due to the stock, and he the one-third due to the land. Of the third due to attendance, the man shall have one-third for folding, and the woman one-third for littering, the shepherds one-third for minding; but if the shepherds belong to both, their share is to be divided equally between them, and then the exact half of the woman's increase comes to him. If they (the shepherds) belong to either of them, their (the shepherds') share is obtained by the person to whom they belong. And this is the case of a shepherd who minds the cows from the time at which they have been bulled till they run dry; and if it be from the time at which they had calves until they ran dry, he shall get but the same division of the milk.

If it be the increase of *the cattle belonging to the man*, he shall have the one-third due to the stock, and the one-third due to the land. Of the third *due* to attendance he shall have one-third for folding, and she one-third for littering, and the shepherds one-third for minding. The shepherd's share may be, as we have said above; and the time that the exact ninth part of the increase of *the cattle* of the man is due to the woman is, when she does not own any part of the shepherd's share, or any other share.

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